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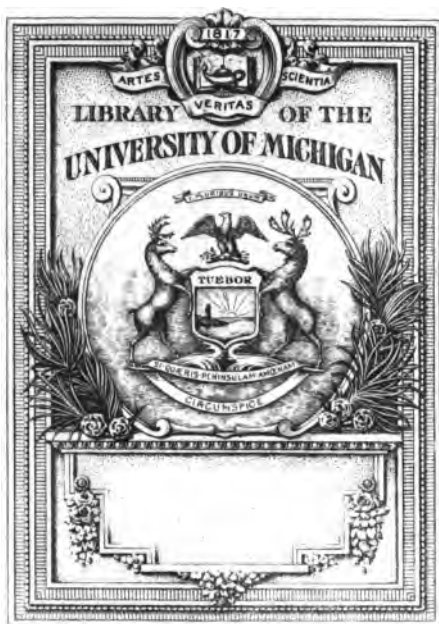
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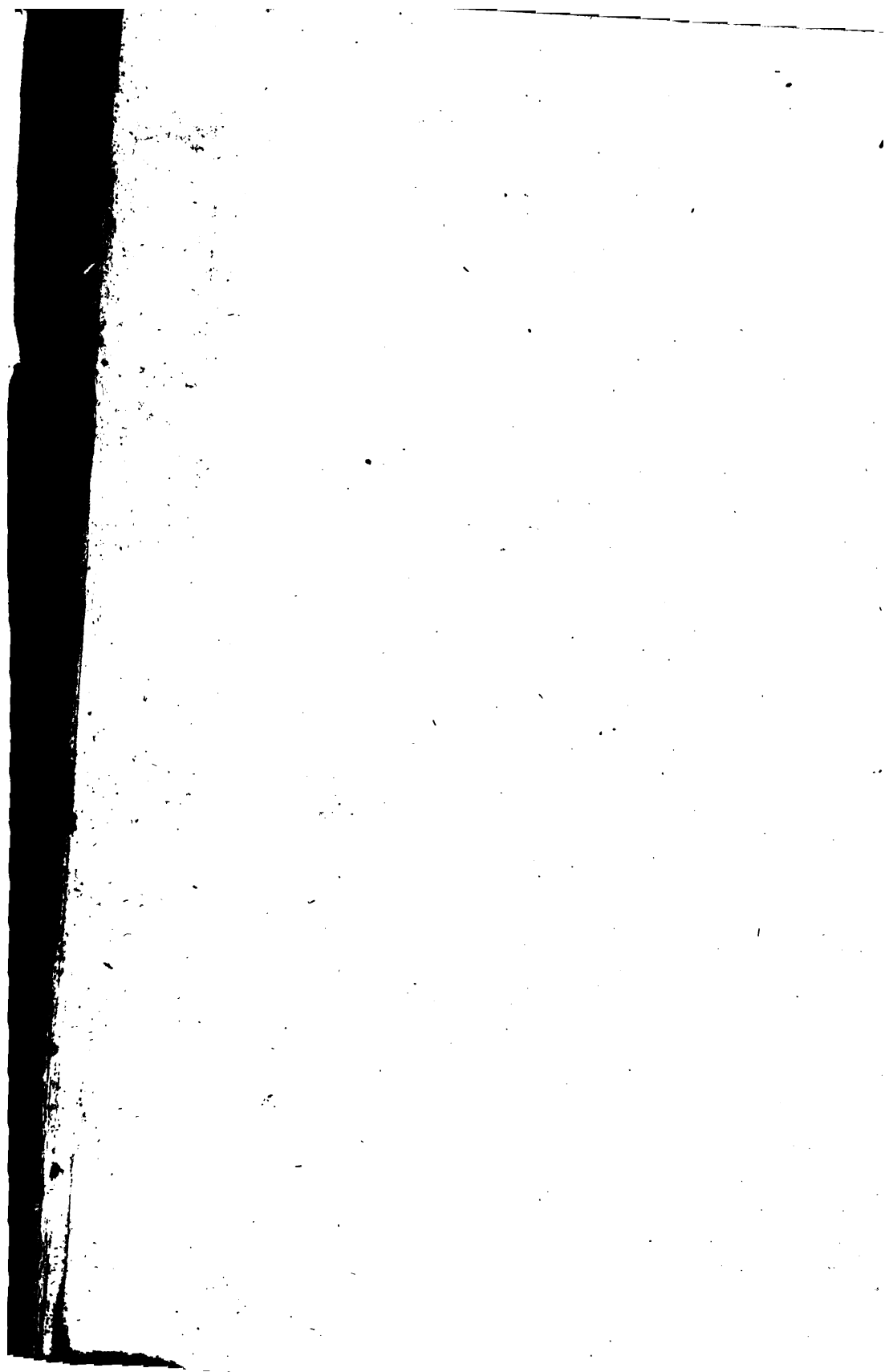
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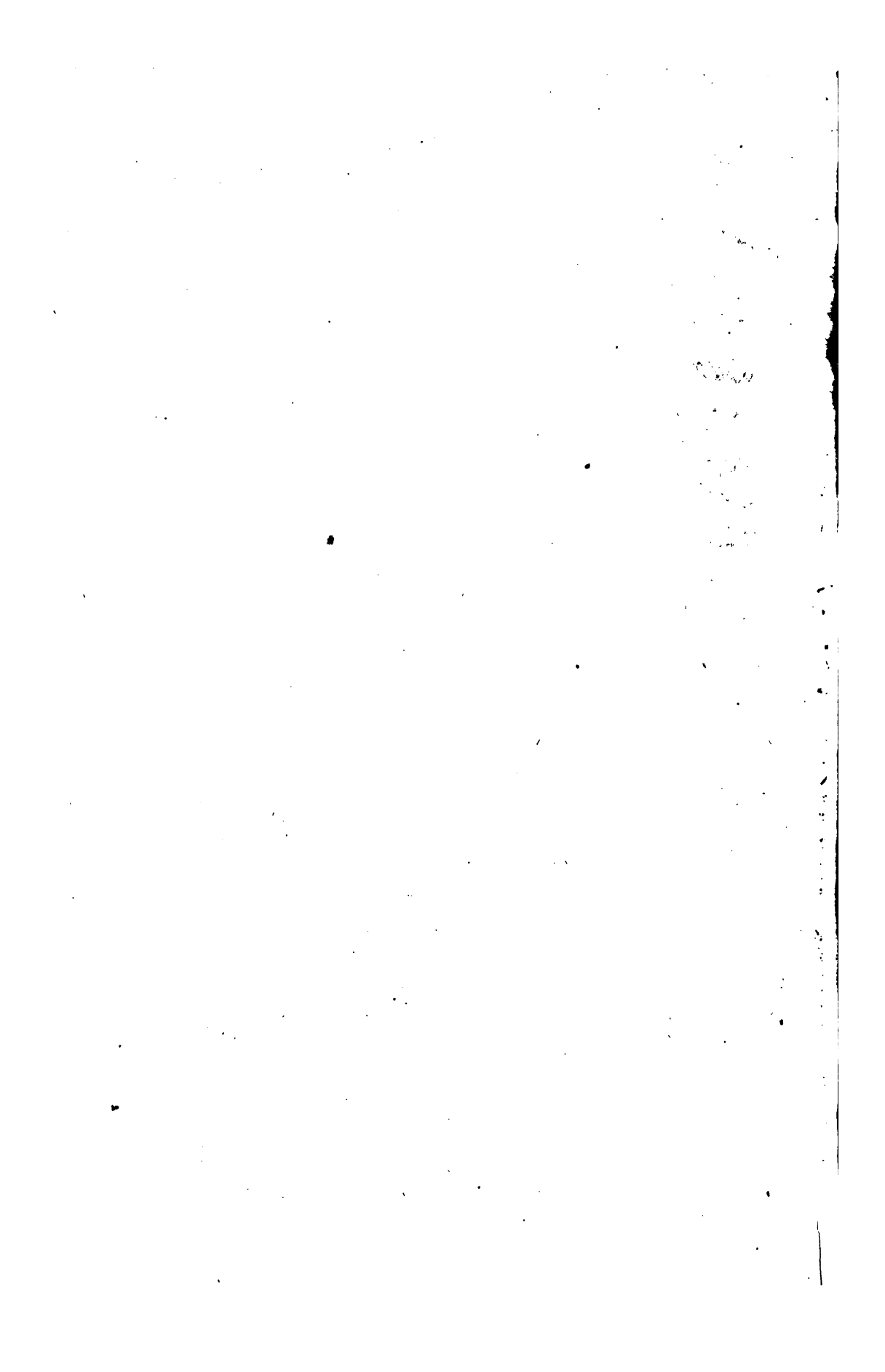
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Nevada. Legislature. Senate

THE
JOURNAL OF THE SENATE

OF THE
SIXTH SESSION

OF THE
LEGISLATURE OF THE STATE OF NEVADA,

1873.

BEGUN ON MONDAY, THE SIXTH DAY OF JANUARY, AND ENDED
THURSDAY, THE SIXTH DAY OF MARCH.

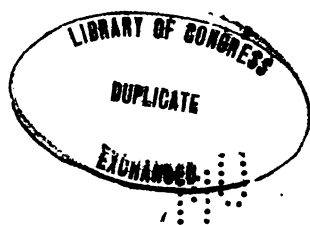


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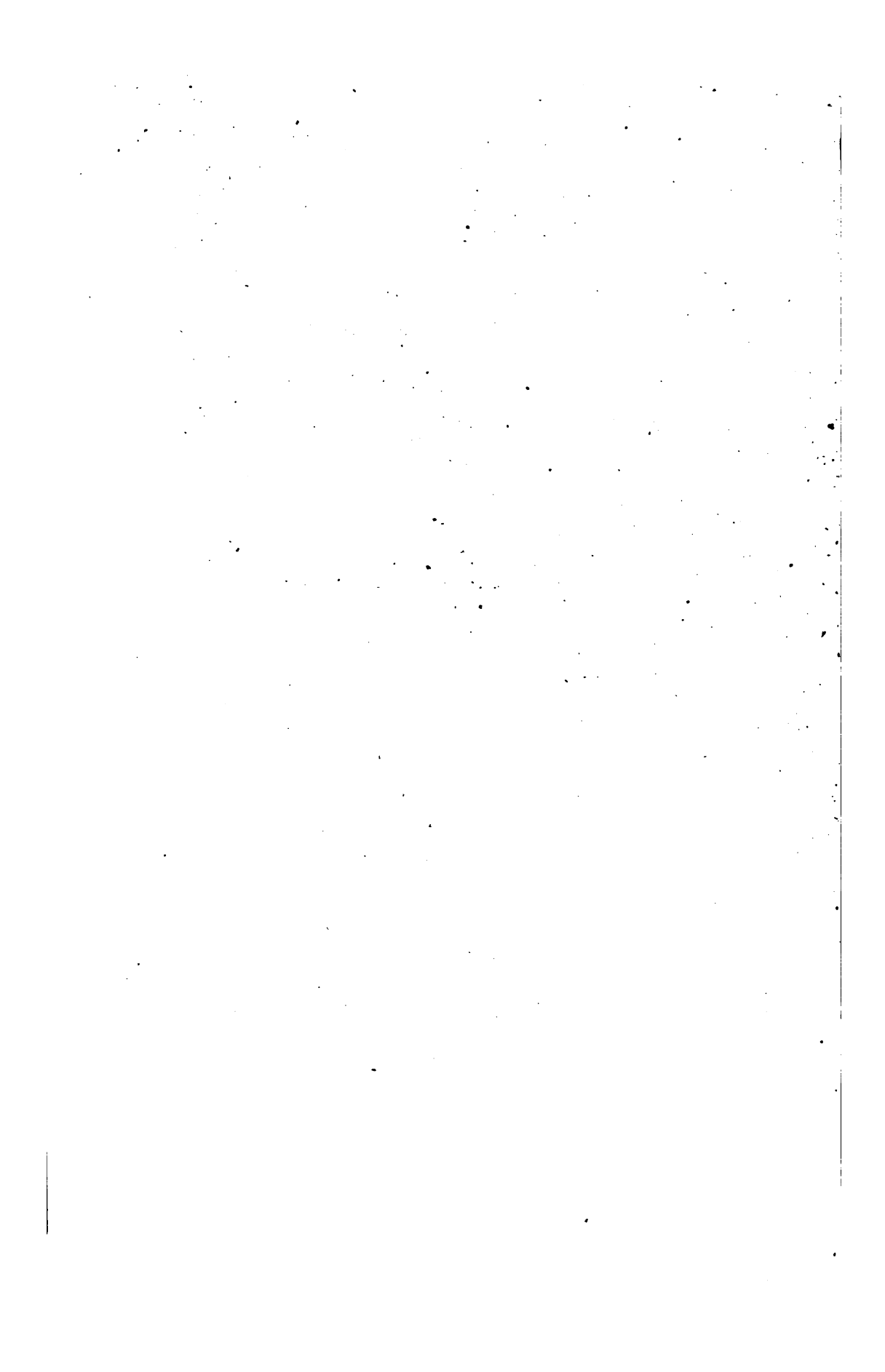
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SIXTH SESSION, 1873.



NEVADA LEGISLATURE—SENATE.

SIXTH SESSION, 1873.

FIRST DAY.

CARSON CITY, January 6th, 1873.

In accordance with and pursuant to the provisions of section twelve, Article XVII, of the Constitution of the State of Nevada, the Senate was called to order at twelve o'clock, noon, by Hon. Frank Denver, President.

Mr. Eastman moved that the President appoint a temporary Secretary and temporary Sergeant-at-Arms.

Carried.

The President appointed as temporary Secretary, Chas. F. Bicknell, and as temporary Sergeant-at-Arms, M. S. Thompson.

The roll being called, the following Senators responded to their names:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24—full Senate.

The certificates of election of the following were then presented and read by the Secretary:

Frank Campbell and J. G. McClinton, of Esmeralda County; William Thompson, of Washoe County; R. S. Clapp and John R. Wilson, of Lincoln County; T. S. Davenport, of Lyon County; C. C. Stevenson, of Storey County; D. P. Walter, of Nye County; George W. Cassidy, of Lander County; C. S. Varian, of Humboldt County; A. J. Lockwood, of Ormsby County; and John Wagner and U. E. Allen, of White Pine County.

On motion of Mr. McCoy, the President appointed as temporary Pages Masters J. D. Bradley and Leland Winnie.

Mr. Small offered the following resolution:

Resolved, That W. S. Hobart be entitled to his seat [as Senator] from Storey County until he can procure his credentials from Virginia City.

Laid temporarily on the table.

Mr. Moore moved that a committee of two be appointed by the President, to request the attendance of a Justice of the Supreme Court to administer the oath of office to the newly elected Senators.

Carried.

The President appointed as such committee Messrs. Moore and McCoy.

Mr. Moore moved that the Senators whose names were upon the roll call and had not yet taken the oath of office, be requested to come forward and do so.

Carried.

The committee appointed to wait upon a Justice of the Supreme Court, introduced Chief Justice Whitman, who administered the following oath of office to Senators Campbell, Cassidy, Clapp, Davenport, Hobart, Lockwood, McClinton, Stevenson, Thompson, Varian, Walter, and Wilson:

"I, —, do solemnly swear that I will support, protect, and defend the Constitution and Government of the United States, and the Constitution and Government of the State of Nevada, against all enemies, whether domestic or foreign; and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State Convention or Legislature to the contrary notwithstanding; and, further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever; and I do further solemnly swear, that I have not fought a duel, nor sent or accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel, nor been knowingly the bearer of such challenge or acceptance, since the adoption of the Constitution of the State of Nevada, and that I will not be so engaged or concerned, directly or indirectly, in or about any such duel, during my continuance in office; and, further, that I will well and faithfully perform all the duties of the office of Senator, on which I am about to enter. So help me God."

Mr. Mills offered the following resolution:

Resolved, That the daily sessions of the Senate shall commence at eleven o'clock A. M.

Adopted.

Mr. Eastman moved that the Standing and Joint Rules of the last session be adopted as the Rules of the Senate until further ordered.

Carried.

Mr. McClinton requested that the Secretary be instructed to journalize the proceedings of this day so it will appear that Senator Campbell was elected as a Senator from Esmeralda County to fill the vacancy occasioned by the death of Hon. W. M. Boring, the County Clerk of said county having neglected to specify the same in the certificate of election given to Senator Campbell.

No objections being offered, the Secretary was so instructed.

Mr. Phelan moved that the Senate go into an election of permanent officers, to consist of President pro tem., Secretary, Sergeant-at-Arms, Engrossing Clerk, and Chaplain.

The yeas and nays being called for by Messrs. Phelan, Eastman, and Moore, the roll was called, and the motion was carried by the following vote:

YEAS—Messrs. Cassidy, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, McCoy, Mills, Moore, McBeth, Phelan, Thompson, and Wilson—14.

NAYS—Messrs. Campbell, Clapp, Davenport, Hobart, Lockwood, McClinton, Small, Stevenson, Varian, and Walter—10.

Nominations for President pro tem. being in order—

Mr. Hazlett nominated Senator Crawford, of Ormsby County.

Mr. Davenport nominated Senator Lockwood, of Ormsby County.

The roll being called, resulted as follows:

For Mr. Crawford—Messrs. Cassidy, Cleveland, Eastman, Fox, Hazlett, Hill, McCoy, Mills, Moore, McBeth, Phelan, Thompson, and Wilson—13.

For Mr. Lockwood—Messrs. Campbell, Clapp, Davenport, Hobart, McClinton, Small, Stevenson, Varian, and Walter—9.

Mr. Crawford, having received a majority of all the votes of the Senate, was declared duly elected President pro tem.

Mr. Walter moved that the Senate adjourn till to-morrow.

Mr. Moore moved as an amendment, that the Senate adjourn till Wednesday, at 11 o'clock A. M.

The question being on the motion of Mr. Walter, and the yeas and nays being called for by Messrs. Eastman, Crawford, and Fox, the roll was called, and the motion was lost by the following vote:

YEAS—Messrs. Clapp, Cleveland, Davenport, Hobart, Lockwood, McCoy, McClinton, Small, Stevenson, Varian, and Walter—11.

NAYS—Messrs. Campbell, Cassidy, Crawford, Eastman, Fox, Hazlett, Hill, Mills, Moore, McBeth, Phelan, Thompson, and Wilson—13.

The question now being on the amendment offered by Mr. Moore, and the yeas and nays being called for by Messrs. Eastman, Crawford, and Hill, the roll was called with the following result:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Davenport, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Varian, Walter, and Wilson—20.

NAYS—Messrs. Clapp, Crawford, Eastman, and Thompson—4.

So, at twelve o'clock and forty-five minutes, the Senate adjourned till Wednesday, January eighth, eighteen hundred and seventy-three.

FRANK DENVER,

President of the Senate.

Attest: CHAS. F. BICKNELL,

Temporary Secretary.

IN SENATE—THIRD DAY.

CARSON CITY, January 8th, 1873.

Senate called to order at eleven o'clock A. M.

President in the chair.

Roll called, and the following Senators found present:

Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Cassidy—1.

Mr. Moore moved a call of the Senate.

Carried.

All present except Mr. Cassidy.

Mr. Cassidy appearing and taking his seat, Mr. McCoy moved that further proceedings under the call be dispensed with.

Carried.

Mr. Moore moved that the rules be suspended, and that the Senate proceed to the election of officers in accordance with the resolution offered by Mr. Phelan, on Monday last.

Carried.

Nominations for Secretary being the first business in order, Mr. Moore nominated Charles F. Bicknell, of Ormsby County. Mr. Stevenson nominated R. L. Thomas, of Storey County.

The roll was called with the following result:

For Mr. Bicknell—Messrs. Cassidy, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Thompson, and Wilson—15.

For Mr. Thomas—Messrs. Clapp, Davenport, Hobart, Campbell, McClinton, Small, Stevenson, Varian, and Walter—9.

Mr. Bicknell having received a majority of all the votes cast, was declared duly elected Secretary of the Senate.

For Sergeant-at-Arms.

Mr. Eastman nominated A. K. Lamb, of Washoe County. Mr. Varian nominated M. S. Thompson, of Humboldt County. Mr. Small nominated L. S. Bowden, of Douglas County.

The roll was called with the following result:

For Mr. Lamb—Messrs. Cassidy, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, McCoy, Mills, Moore, McBeth, Phelan, Thompson, and Wilson—14.

For Mr. Thompson—Messrs. Clapp, Davenport, Hobart, Lockwood, McClinton, Stevenson, Varian, and Walter—8.

For Mr. Bowden—Messrs. Campbell and Small—2.

Mr. A. K. Lamb having received the majority of all the votes cast, was declared duly elected Sergeant-at-Arms of the Senate.

For Engrossing Clerk, Mr. Phelan nominated Joseph Josepha, of Storey County. Mr. McClinton nominated H. E. Long, of Esmeralda County. Mr. Walter nominated Chauncy Stewart, of Storey County.

The roll was called with the following result:

For Mr. Josephs—Messrs. Cassidy, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, McCoy, Mills, Moore, McBeth, Phelan, Thompson, and Wilson—14.

For Mr. Long—Messrs. Campbell, Clapp, Davenport, Lockwood, McClinton, Small, Stevenson, Varian, and Walter—9.

For Mr. Stewart—Mr. Hobart—1.

Mr. Josephs, having received a majority of all the votes cast, was declared duly elected Engrossing Clerk of the Senate.

For Chaplain, Mr. Stevenson nominated Rev. G. B. Allen. Mr. Hill nominated Rev. J. D. Hammond.

The roll was called, with the following result:

For Mr. Allen—Messrs. Cassidy, Davenport, Eastman, Fox, Hobart, McCoy, Mills, Phelan, Small, Stevenson, Walter, and Wilson—12.

For Mr. Hammond—Messrs. Campbell, Clapp, Cleveland, Crawford, Hazlett, Hill, Lockwood, McClinton, Moore, McBeth, Thompson, and Varian—12.

No choice.

The roll being called on the second ballot, resulted as follows:

For Mr. Allen—Messrs. Cassidy, Davenport, Eastman, Fox, Hobart, Lockwood, McCoy, Mills, Moore, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—15.

For Mr. Hammond—Messrs. Campbell, Clapp, Cleveland, Crawford, Hazlett, Hill, McClinton, McBeth, and Varian—9.

Mr. Allen, having received the majority of all the votes cast, was declared duly elected Chaplain of the Senate.

The President announced the following appointments:

For Pages—Jeff. D. Bradley and Llewellyn Meder.

For Messenger—Simon Kinney.

Mr. Hazlett introduced the following resolution:

Resolved, That the Secretary of the Senate be instructed to inform the Assembly that the Senate is fully organized, by the choice of the following officers: President pro tem., Israel Crawford; Secretary, C. F. Bicknell; Engrossing Clerk, Joseph Josephs; Sergeant-at-Arms, A. K. Lamb; Chaplain, Rev. Mr. Allen; and the Senate is now ready to receive communications from his Excellency the Governor, and prepared to proceed with the legislative business of the session.

COMMUNICATION FROM THE SERGEANT-AT-ARMS.

To the honorable the Senate:

I have this day appointed L. D. Noyes Assistant Sergeant-at-Arms of the Senate.

On motion of Mr. Moore, the Senate took a recess for five minutes.

Senate called to order at eleven o'clock and forty minutes A. M.

President in the chair.

Roll called, and the following Senators found to be present:

Messrs. Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson.

Absent—Messrs. Lockwood and Varian.

COMMUNICATION FROM THE SECRETARY OF THE SENATE.

To the honorable the Senate:

I have this day made the following appointments: Assistant Secretary, T. A. Waterman; Minute Clerk, B. E. Burns; Journal Clerk, R. R. Parkinson, Copying Clerk, M. D. Hatch.

Respectfully,

CHAS. F. BICKNELL, Secretary.

Mr. McBeth moved that a Justice of the Supreme Court be requested to administer the oath of office and the oath of secrecy to the newly elected and appointed officers.

Carried.

The President appointed Messrs. Eastman and Small as a committee to request the attendance of a Supreme Judge to administer the oaths.

The committee introduced Chief Justice Whitman, who administered the oaths of office and secrecy to the following named officers and attachés:

Charles F. Bicknell, Secretary; A. K. Lamb, Sergeant-at-Arms; Joseph Josephs, Engrossing Clerk; George B. Allen, Chaplain; R. R. Parkinson, Journal Clerk; M. D. Hatch, Copying Clerk; L. D. Noyes, Assistant Sergeant-at-Arms; J. D. Bradley and Llewellen Meder, Pages; Simon Kinney, Messenger.

The question before the Senate being on the resolution offered by Mr. Hazlett, it was, on motion, adopted unanimously.

RESOLUTIONS.

By Mr. McCoy:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to procure, for the use of this body, the best and most recent map of the State.

Adopted.

By Mr. Thompson:

Resolved, That the further consideration of the credentials of Messrs. Allen and Wagner, and all contest with regard to the seats of Messrs. Cleveland and Mills, be indefinitely postponed.

Mr. McCoy moved a committee of three be appointed to wait upon the

Governor and inform him that the Senate was ready to receive any communication he had to offer.

Carried.

The President appointed as such committee Messrs. McCoy, Lockwood, and Hobart.

Mr. Phelan moved to take a recess until two o'clock P. M..

Carried.

AFTERNOON SESSION.

Senate called to order at two o'clock P. M.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—23.

Absent—Mr. Varian—1.

The committee appointed to wait on the Governor made the following report:

Mr. PRESIDENT: The committee appointed to wait on his Excellency the Governor have discharged that duty, and report that he will be ready to make his communication this day, at two o'clock P. M.

A. J. LOCKWOOD,
W. S. HOBART,
W. W. MCCOY,
Committee.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 6th, 1873. }

To the honorable the Senate:

I am hereby instructed to inform your honorable body that the House is organized by the election of the following named officers, to wit:

Speaker.....	JOHN BOWMAN.
Speaker pro tem.....	O. H. GREY.
Chief Clerk.....	A. WHITFORD.
Assistant Clerk.....	J. M. WOODWORTH.
Sergeant-at-Arms.....	RICHARD PADDOCK.
Engrossing Clerk.....	WILLIAM JOHNSON.
Minute Clerk.....	G. W. ROGERS.
Journal Clerk.....	T. W. MCGOVERN.
Assistant Sergeant-at-Arms.....	M. C. HICKEY.

And ready to proceed with the business of the session.

All of which is respectfully submitted.

A. WHITFORD, Chief Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 8th, 1873. }

To the honorable the Senate:

I have the honor to inform your honorable body that the House has this day appointed a committee of three, consisting of Messrs. Morrison, Grey, and Savage, on Joint Rules, to meet with a like committee, when appointed by your honorable body.

Yours, respectfully,

A. WHITFORD, Chief Clerk.

The resolution offered by Mr. Thompson, relative to the contested seats of Senators Cleveland and Mills, was now taken up.

Mr. Lockwood moved that the resolution lay on the table temporarily.
Carried.

Mr. Phelan offered the following resolution:

Resolved, That the Controller of State is hereby authorized and directed to draw his warrant in favor of each member of this Senate for the sum of sixty dollars, for newspapers, stationery, postage, and express charges for the present session, as provided by the Constitution of the State of Nevada, fourth Article, thirty-third section, the same to be payable out of the Contingent Fund of the Senate.

Mr. McCoy moved that the resolution lay temporarily on the table.
On which the roll was called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, Small, Stevenson, Thompson, and Walter—18.

NAYS—Messrs. Clapp, Cleveland, McBeth, Phelan, Varian, and Wilson—6.

Mr. Cleveland offered the following resolution:

Resolved, That Edward Kiesle be appointed as doorkeeper of this Senate.

Mr. Moore moved to lay the resolution on the table.
Carried.

GOVERNOR'S MESSAGE.

The Private Secretary of his Excellency the Governor presented the First Biennial Message of Hon. L. R. Bradley, Governor of the State of Nevada (for which see Appendix), pending the reading of which the following resolution was offered by Mr. Moore:

Resolved, by the Senate, the Assembly concurring, That one thousand copies of the Governor's Message be printed—two hundred and fifty for the Governor, two hundred and fifty for the Senate, and five hundred for the Assembly.

Passed, by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

NAYS—None.

Mr. Hazlett offered the following resolution:

Resolved, That the Sergeant-at-Arms be and he is instructed to procure blank forms for notices of bills and reports of committees, one thousand each.

Adopted.

Mr. Davenport offered the following resolution:

Resolved, That Wm. H. Bundy be appointed Paper Folder of the Senate, at a per diem of three dollars.

Laid on the table.

APPOINTMENT BY THE PRESIDENT.

SENATE CHAMBER,
January 8th, 1873. }

I hereby appoint John Petrie porter of the Senate.

FRANK DENVER,
President of the Senate.

Mr. Stevenson moved that a committee of three be appointed on Rules and Joint Rules, to act with a like committee of the Assembly.

Carried.

The President appointed Messrs. Stevenson, Lockwood, and McBeth as such committee.

Mr. Small moved that the Senate adjourn until to-morrow.

Carried.

So, at two o'clock and thirty-five minutes, the Senate adjourned.

FRANK DENVER,
President of the Senate.

Attest: CHAS. F. BICKNELL, Secretary.

IN SENATE—FOURTH DAY.

CARSON CITY, January 9th, 1873.

Senate called to order at eleven o'clock A. M.

President in the chair.

Prayer by the Chaplain, Rev. S. B. Allen.

Roll called, and the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Hobart—1.

Journal of yesterday read and approved.

MOTIONS AND RESOLUTIONS.

Mr. Hazlett introduced the following resolution:

Resolved, That the Sergeant-at-Arms be instructed and authorized to furnish the President and Secretary of the Senate, and the several committees of the Senate, with necessary stationery; also to provide suitable rooms for the several committees.

Laid temporarily on the table.

By Mr. Crawford:

Resolved, That the message of the Governor, and accompanying documents, be referred to the several standing committees as follows: That so much as refers to ways and means be referred to the Committee on Ways and Means; so much as refers to judiciary, be referred to the Judiciary Committee; so much as refers to corporations, to Committee on Corporations; so much as refers to mines and mining, to Committee on Mines and Mining; so much as refers to federal relations, to Committee on Federal Relations; so much as refers to State affairs, to Committee on State Affairs; so much as refers to agriculture and manufactures, to Committee on Agriculture and Manufactures; so much as refers to education, to Committee on Education; so much as refers to elections, to Committee on Elections; so much as refers to printing, to Committee on Printing; so much as refers to county boundaries, to Committee on Counties and County Boundaries; so much as refers to State Prison, to Committee on State Prison; so much as refers to militia and Indian affairs, to Committee on Militia and Indian Affairs; so much as refers to State Library, to Committee on State Library; so much as refers to public lands, to Committee on Public Lands; so much as refers to supplies and expenditures, to Committee on Supplies and Expenditures.

Laid temporarily on the table.

By Mr. Phelan:

Resolved, That Thomas Carson be employed as watchman and door-keeper of the Senate Chamber.

Mr. Varian moved to lay on the table.

Carried.

Messrs. Small and Hobart appearing, by consent, their names were added to roll call.

By Mr. Moore:

Resolved, That the Sergeant-at-Arms be and is hereby authorized to purchase, and have placed in some convenient place in this chamber, two hat and coat racks, for the use of the members.

Mr. Moore moved the adoption of the resolution.

Lost.

By Mr. McBeth:

Resolved, That Theodore Lynn be and he is hereby appointed night watchman for the session.

Mr. Davenport moved to lay on the table.

Carried.

NOTICES OF BILLS.

Mr. Cassidy gives notice that he will, on an early day, introduce a bill to regulate and equalize fare and freight on railroads in this State.

Mr. Cassidy gives notice that he will, on to-morrow, introduce a bill to create the County of Eureka, and for other purposes.

Mr. Phelan gives notice that he will, at some future day, introduce a bill for the repeal of an Act entitled "An Act to tax and regulate foreign insurance companies doing business in this State."

Also, a bill for the relief and benefit of the Nevada Orphan Asylum, located at Virginia City.

Also, a bill for the relief of the bondsmen of E. Rhoades.

Also, a bill to regulate the Virginia Fire Department.

Mr. McCoy gives notice that he will, upon to-morrow, or some subsequent day, introduce a bill to provide for the removal of county seats in this State, and to repeal an Act entitled "An Act providing for the removal of county seats and the permanent location of the same," approved March second, eighteen hundred and sixty-seven.

Mr. Davenport gives notice that he will, on some future day, introduce a bill for an Act to amend the registry law.

Mr. McClinton gives notice that he will, on some future day, introduce a bill for An Act to redistrict the State into judicial districts, and to provide for holding terms of Court therein.

Mr. McClinton gives notice that he will, on some future day, introduce a bill for An Act concerning juries.

Mr. McClinton gives notice that he will, on some future day, introduce a bill for An Act codifying the laws of this State.

Mr. Lockwood gives notice that he will, on some future day, introduce a bill for An Act for the better observance of the Sabbath.

Mr. McClinton gives notice that he will, on some future day, introduce a bill for An Act to define the duties and powers of Boards of County Commissioners.

Mr. McBeth gives notice that he will, on some future day, introduce a bill for an Act entitled An Act in relation to public highways.

Mr. Wilson gives notice that he will, on some future day, introduce a bill for An Act to fund the indebtedness of Lincoln County.

Also, to incorporate the Town of Pioche.

Mr. Cassidy gives notice that he will, on some future day, introduce a bill for an Act to amend "An Act to regulate proceedings in civil cases in the Courts of justice of this State," approved March eighth, eighteen hundred and sixty-nine.

REPORT OF SELECT COMMITTEE.

The Committee on Rules and Joint Rules made the following report:

MR. PRESIDENT: Your Committee on Rules and Joint Rules unanimously recommend and report the rules adopted at the last session, with the following amendment to Senate Rule LIV (fifty-four): "And when an adjournment is carried while acting under the order of business of motions and resolutions, it shall not vitiate the right of a member to move a reconsideration on the succeeding day."

Your committee further recommend that five hundred copies of the Rules, as adopted, be printed for the use of the two Houses.

C. C. STEVENSON, •
A. J. LOCKWOOD,
ROBT. McBETH.

Mr. Phelan moved the adoption of the report, and that two hundred and forty copies be ordered printed for the use of the Senate.

Laid over until to-morrow, under the rule.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Phelan asked leave to introduce a bill without previous notice.
Granted.

Mr. Phelan introduced Senate Bill No. 2—An Act to create Legislative Funds.

Bill read first time; rules suspended; read second time by title, and referred to Committee of the Whole.

The Senate resolved itself into Committee of the Whole for the consideration of Senate Bill No. 2—"An Act to create Legislative Funds."

President pro tem. in the chair.

In time, the committee rose, and presented the following report:

MR. PRESIDENT: The Committee of the Whole have had under consideration Senate Bill No. 2—"An Act to create Legislative Funds"—have made amendments thereto, and beg leave to report the same back to the Senate and recommend its passage.

IN SENATE.

President in the chair.

Mr. Phelan moved the adoption of the report of the Committee of the Whole, and that the bill be ordered engrossed.

Carried.

Mr. Stevenson moved that Rule No. 62 be suspended, for the purpose of the adoption of the report of the Committee on Rules and Joint Rules.

Motion temporarily withdrawn.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 8th, 1873. }

To the honorable the Senate:

I have the honor to herewith return to your honorable body Senate Concurrent Resolution No. 1; the same having passed the Assembly this day by the following vote: Yeas, 45; nays, none.

Yours respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 9th, 1873. }

To the honorable the Senate:

I have the honor to inform your honorable body that the report of the Committee on Joint Rules was this day adopted by a unanimous vote.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

On Mr. Stevenson's motion to suspend Rule 62, the question was put and motion carried.

Mr. McCoy moved that the report be taken from the table.

Carried.

Mr. McCoy moved to amend Rule 19, by inserting the word "railroad" before the words "internal improvements," and the number of committee to consist of five members instead of three.

Carried.

Mr. Phelan moved to amend Rule 60, by striking out the words "explain his vote."

Lost.

Mr. Mills moved to amend Rule 19, by striking out of line one the word "three," and inserting "five."

Carried.

Mr. Moore moved the adoption of the report as amended.

Carried.

The President appointed the following committees:

COMMITTEE ON ELECTIONS.

Messrs. Moore, Stevenson, Cassidy, McBeth, and Hazlett.

COMMITTEE ON MILEAGE.

Messrs. Davenport, Clapp, and Small.

Mr. Phelan moved to adjourn.

Carried.

So, at twelve o'clock and forty-five minutes, the Senate adjourned.

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of Senate.

IN SENATE—FIFTH DAY.

CARSON CITY, January 10th, 1873. .

Senate met at eleven o'clock A. M.

President in the chair.

Roll called, and the following Senators present:

Messrs. Campbell, Clapp, Cassidy, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Cleveland—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal read and approved.

Mr. Phelan moved that when the Senate adjourn it adjourn until Monday, at eleven o'clock.

Carried.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 9th, 1873. }

To the honorable the Senate:

I have the honor to transmit to your honorable body Assembly Concurrent Resolution No. 3, the same having passed the Assembly this day by a unanimous vote.

Respectfully, etc.,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 9th, 1873. }

To the honorable the Senate:

I have the honor to transmit to your honorable body Assembly Bill No. 1—"An Act to create certain Legislative Funds"—which passed the

Assembly January ninth, eighteen hundred and seventy-three, by the following vote: Yeas, 46; nays, none.

Respectfully, etc.,

J. M. WOODWORTH,
Assistant Clerk.

The President appointed the following committees:

COMMITTEE ON WAYS AND MEANS.

Messrs. Hazlett, Fox, McCoy, Wilson, and Eastman.

COMMITTEE ON JUDICIARY.

Messrs. McCoy, Varian, McClinton, Lockwood, and Cleveland.

COMMITTEE ON PRINTING.

Messrs. Cassidy, Hobart, and Small.

COMMITTEE ON MILITARY AND INDIAN AFFAIRS.

Messrs. Fox, Campbell, and Moore.

COMMITTEE ON COUNTIES AND COUNTY BOUNDARIES.

Messrs. Hill, Eastman, Walter, Mills, and Wilson.

COMMITTEE ON AGRICULTURE AND MANUFACTURES.

Messrs. Small, Thompson, and Campbell.

COMMITTEE ON EDUCATION.

Messrs. Stevenson, McClinton, and Davenport.

COMMITTEE ON ENGROSSMENT.

Messrs. Crawford, Davenport, and McBeth.

COMMITTEE ON ENROLLMENT.

Messrs. Lockwood, Clapp, and Cassidy.

REPORTS OF COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Mileage beg leave to report that they have had the matter committed to them under consid-

eration, and find that the members of the Senate are entitled to mileage in the following amounts:

Names.	Number of miles.	Amount.
Mr. Campbell.....	150	\$60 00
Mr. Cassidy.....	762	304 80
Mr. Clapp.....	1,142	456 80
Mr. Cleveland.....	852	340 80
Mr. Crawford.....		
Mr. Davenport.....	30	12 00
Mr. Eastman.....	60	24 00
Mr. Fox.....	30	12 00
Mr. Hazlett.....	30	12 00
Mr. Hill.....	248	99 20
Mr. Hobart.....	30	12 00
Mr. Lockwood.....	8	3 26
Mr. McCoy.....	762	304 80
Mr. McClinton.....	220	88 00
Mr. Mills.....	852	340 80
Mr. Moore.....	920	368 00
Mr. McBeth.....	544	217 60
Mr. Phelan.....	30	12 00
Mr. Small.....	50	20 00
Mr. Stevenson.....	30	12 00
Mr. Thompson.....	16	6 40
Mr. Varian.....	392	156 80
Mr. Walter.....	1,012	404 80
Mr. Wilson.....	1,142	456 80

All of which is respectfully submitted.

T. S. DAVENPORT, Chairman.

Mr. Moore moved the adoption of the report.
Carried.

MESSAGES.

The following messages were received from the Secretary of State:

STATE OF NEVADA, OFFICE OF SECRETARY OF STATE, }
CARSON CITY, January 8th, 1873. }

To the honorable the Senate:

I have the honor to inform your honorable body that Mr. Crittenden Thornton was, on the sixteenth day of November, eighteen hundred and seventy-two, appointed Private Secretary to his Excellency the Governor.

Very respectfully,

J. D. MINOR,
Secretary of State.

STATE OF NEVADA, OFFICE OF SECRETARY OF STATE, }
CARSON CITY, January 8th, 1873. }

To the honorable the Senate:

In compliance with the requirements of Article four, section thirty-five, of the Constitution of this State, I have the honor to transmit herewith certain bills, together with the objections of his Excellency the Governor thereto, viz: Senate Bills Nos. 204 and 231. These bills originated in the Senate at the last session, passed both Houses, were presented to the Governor within five days of the final adjournment, and filed in this office, together with the objections of the Governor, within ten days after said final adjournment, viz: March thirteenth, eighteen hundred and seventy-one.

Very respectfully,

J. D. MINOR,
Secretary of State.

The following messages, containing the reasons for the Governor's vetoing Senate Bills Nos. 204 and 231, of the last session, received:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, March 13th, 1871. }

To Hon. J. D. MINOR, Secretary of State:

SIR: Senate Bill No. 204—entitled "An Act to encourage the construction of a railroad in the central portion of the State of Nevada"—was received by me on the last day of the late session of the Legislature, and I herewith deposit it with you, together with my objections to its passage.

The bill provides that upon the presentation to the County Commissioners of Humboldt County of a petition signed by two thirds of the taxpayers, representing two thirds of the taxable property of the county, to the effect that it is the desire of the signers that bonds of Humboldt County, to an amount not greater than one hundred thousand dollars, should be issued to parties therein named, for the purpose of encouraging the construction of a railroad between Unionville and Mill City, in Humboldt County; then it shall be the duty of the County Commissioners, under certain conditions, to issue the bonds. After a careful consideration of the bill I cannot see, were it to become a law, that it would generally benefit the people of Humboldt County. The distance from Unionville to Mill City, I am informed, is somewhat less than twenty miles, and any benefits arising from the construction of the railroad would be enjoyed by the immediate locality of the railroad, while the large portion of taxpayers situated remotely therefrom would be obliged to pay ratably for its construction. In other words, the owners of property without the line of the railroad and neighborhood of Unionville and Mill City, would be taxed for a purpose from which they would receive no reciprocal benefit.

For these reasons I do not consider it advisable to submit this propo-

sition to the taxpayers of Humboldt County, and request that at the next meeting of the Legislature you lay the bill and objections before it.

L. R. BRADLEY, Governor.

Senate Bill No. 204, vetoed last session.

The question being "Shall the bill pass, notwithstanding the objections of the Governor?" the yeas and nays were called and resulted as follows:

YEAS—None.

NAYS—Messrs. Compbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

The bill, not having received a two thirds vote of the whole Senate, was declared lost.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, March 11th, 1871. }

Hon. J. D. MINOR, *Secretary of State*:

SIR: I herewith deposit with you Senate Bill No. 231—"An Act to authorize the survey and establish a part of the western boundary of the State of Nevada"—with my objections thereto.

The bill proposes appropriating ten thousand dollars for the survey of a portion of the line between this State and California. Before the line can be established, it must receive the approval of the Legislature of California, and should the proposed survey fail to be approved, the line would not be established and the expenses incurred would have been useless.

This bill was received by me on the last day of the late session of the Legislature. You will, therefore, please lay before the next Legislature, upon its convening, the bill and objections.

L. R. BRADLEY, Governor.

Senate Bill No. 231, vetoed by the Governor at last session.

The question being, "Shall the bill pass, notwithstanding the objections of the Governor?" the roll was called, with the following result:

YEAS—None.

NAYS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Crawford—1.

The bill, not having received a two-thirds vote of the whole Senate, was declared lost.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, January 9th, 1873. }

To the honorable the Senate of Nevada:

I have the honor to transmit herewith the Biennial Report of the Superintendent of Public Instruction of the State of Nevada, for the years eighteen hundred and seventy-one and seventy-two.

L. R. BRADLEY.

Mr. Stevenson moved that the Report of the Superintendent of Public Instruction be referred to the Committee on Education.

Mr. McClinton moved that two hundred and forty copies of the report be ordered printed.

Mr. Eastman asked leave of absence for Mr. Crawford for the balance of the day.

Granted.

MOTIONS AND RESOLUTIONS.

Mr. Moore moved to take from the table the resolution relative to the message of the Governor.

Carried.

Mr. Phelan moved that the resolution be adopted.

Carried.

By Mr. Eastman:

Resolved, That so much of the Governor's Message as refers to centennial affairs be referred to a special committee of five members.

Mr. Thompson moved the adoption of the resolution.

Carried.

By Mr. McClinton:

Resolved, by the Senate, the Assembly concurring, That one thousand copies of the Report of the Superintendent of Public Instruction be printed; two hundred copies for the use of the Superintendent of Public Instruction; one hundred copies to be delivered to the Secretary of State; five hundred copies for the use of the members of the Assembly, and the balance for the use of the members of the Senate.

Pending the consideration of which, Mr. Mills moved as a substitute, that the report be referred to the Committee on Education, requesting from said committee an early report.

Carried.

Mr. McClinton withdrew his resolution in regard to printing.

By Mr. Phelan:

Resolved, That the Sergeant-at-Arms be authorized and empowered to appoint one watchman, one fireman, and one doorkeeper, for the Senate Chamber, at such compensation as the Senate may hereafter determine.

Mr. Phelan moved the adoption of the resolution.

Mr. Davenport moved to lay the resolution on the table, on which the ayes and noes were called, with the following result:

YEAS—Messrs. Clapp, Davenport, Hobart, Lockwood, McClinton, Mills, Moore, Phelan, Stevenson, Varian, Walter, and Wilson—12.

NAYS—Messrs. Campbell, Cassidy, Cleveland, Eastman, Fox, Hazlett, McCoy, McBeth, and Thompson—10.

Absent—2.

Mr. Phelan gave notice that he would, on the next meeting of the Senate, move a reconsideration of the above vote.

NOTICES.

By Mr. Phelan: That he will, on some future day, introduce a bill for An Act to define the duties of pawnbrokers and pledgees.

By Mr. Hazlett: That he will, on some future day, introduce a bill for An Act creating a tax commission, having in view the reduction of State taxes.

By Mr. Stevenson: That he will, on some future day, introduce a bill for An Act to repeal the Stamp Act.

By Mr. Varian: That he will, on some future day, introduce a bill for An Act to increase the salary of the District Attorney of Humboldt County.

Also, that he will, on some future day, introduce a bill for An Act to compel attendance at school.

By Mr. Walter: That he will, on some future day, introduce a bill for An Act to reduce the fees of county officers.

By Mr. Moore: That he will, on some future day, introduce a bill for an Act to amend An Act to provide for the government of the State Prison of the State of Nevada, approved March fourth, eighteen hundred and sixty-five, and to repeal an Act amendatory thereof, approved March thirteenth, eighteen hundred and sixty-seven.

Resolution of Mr. Hazlett—Relative to furnishing stationery and committee rooms.

Mr. Phelan moved that the above resolution be taken from the table.

Carried.

Mr. Phelan moved to amend by adding thereto the words, "by direction of the Chairman."

Mr. Moore moved that the resolution be referred to the Committee on State Affairs.

Carried.

Resolution of Mr. Phelan—Relative to the appointment of a door-keeper.

Mr. McClinton moved that the resolution be taken from the table.

Carried.

Mr. Davenport moved that the resolution be indefinitely postponed.

Carried.

Resolution of Mr. McBeth—Relative to the appointment of a fireman for Senate chamber.

Mr. Phelan moved to take the resolution from the table.

Carried.

INTRODUCTION OF BILLS.

Assembly Concurrent Resolution No. 3—Relative to printing the Rules of the Senate and Assembly.

Mr. Stevenson moved the adoption of the resolution.

Carried.

Assembly Bill No. 1—"An Act to create certain Legislative Funds."
Read first time.

Mr. Lockwood moved that the rules be suspended; and the bill be read the second time by title, and referred to the Committee of the Whole.

Carried.

Mr. Cassidy moved that the Senate resolve itself into a Committee of the Whole for the consideration of Assembly Bill No. 1.

Carried.

And the Senate went into Committee of the Whole.

Mr. Cassidy in the chair.

In time, the committee rose, and presented the following report:

IN SENATE.

Mr. PRESIDENT: The Committee of the Whole have had under consideration Assembly Bill No. 1, and report the same back to the Senate and recommend its passage.

Mr. Phelan moved that the report of the Committee of the Whole be adopted.

Carried.

Mr. Moore moved that the rules be further suspended, and that the bill be placed on its third reading and final passage.

Carried.

The bill was read the third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

NAYS—None.

Absent—Mr. Crawford, on leave.

Mr. Phelan moved that the resolution relative to furnishing members with stationery, be taken from the table.

Withdrawn.

Mr. Phelan moved to adjourn.

Carried.

So, at twelve o'clock and forty minutes P. M., the Senate adjourned.

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

IN SENATE—EIGHTH DAY.

CARSON CITY, January 13th, 1873.

Senate met at eleven o'clock, pursuant to adjournment.

President pro tem. in the chair.

Roll called, and the following named Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Fox—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Mr. Phelan asked indefinite leave of absence for Mr. Fox.

Leave granted.

Journal of Friday read and approved.

The President administered the oath of office and the oath of secrecy to T. A. Waterman, Assistant Secretary, and B. E. Burns, Minute Clerk.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Committee on Education, to whom was referred the Biennial Report of the Superintendent of Public Instruction, beg leave to report that they have had the same under consideration, and offer the following concurrent resolution, and recommend its adoption:

Resolved, by the Senate, the Assembly concurring, That one thousand (1,000) copies of the Report and accompanying documents of the State Superintendent of Public Instruction be printed; two hundred copies thereof being for the use of the Senate, and four hundred copies thereof for the use of the members of the Assembly, and one hundred copies to be delivered to the Secretary of State, and the balance to be delivered to the Superintendent of Public Instruction, for the use of School District Trustees, County Superintendents, and others in his department, and to supply exchanges with States and Counties.

C. C. STEVENSON, Chairman.

On the adoption of the above resolution the roll was called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Fox—1.

MOTIONS AND RESOLUTIONS.

By Mr. Moore:

Resolved, That the Committee on State Affairs be instructed and requested to ascertain, and report to the Senate at as early a day as

practicable, how many rooms there are in this building that may be used by committees of this Legislature.

Laid on the table.

By Mr. Hazlett:

Resolved, by the Senate, the Assembly concurring, That the Sergeant-at-Arms of the Senate is hereby directed to deliver to the Sergeant-at-Arms of the Assembly, for the use of the Assembly, two thirds of the number of the copies of all bills printed by order of the Senate, and the Sergeant-at-Arms of the Assembly is hereby directed to deliver to the Sergeant-at-Arms of the Senate, for the use of the Senate, one third of the number of copies of all bills printed by order of the Assembly.

Mr. Stevenson moved the adoption of the resolution, on which the yeas and nays were called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

NAYS—None.

By Mr. Phelan:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to draw his warrant on demand of any member or attaché of the Senate, for their per diem; *provided*, such demand be made not oftener than once in each week.

Withdrawn.

The President announced the following standing committees:

ON FEDERAL RELATIONS.

Messrs. McClinton, Cleveland, and Hobart.

ON ROADS AND BRIDGES.

Messrs. Campbell, Hill, and Small.

ON MINES AND MINING.

Messrs. McBeth, Hobart, Walter, Clapp, and McCoy.

ON STATE LIBRARY.

Messrs. Varian, McCoy, and Davenport.

ON PUBLIC MORALS.

Messrs. Clapp, Stevenson, and Walter.

ON STATE AFFAIRS.

Messrs. Hobart, Varian, and Small.

ON CLAIMS.

Messrs. Phelan, Mills, and Eastman.

ON SUPPLIES AND EXPENDITURES.

Messrs. Eastman, McClinton, and Fox.

ON RULES AND JOINT RULES.

Messrs. Thompson, Hill, and Cleveland.

ON STATE PRISON.

Messrs. Mills, Hazlett, and Phelan.

ON CORPORATIONS.

Messrs. Wilson, Cleveland, Cassidy, Moore, and Hobart.

ON RAILROADS AND INTERNAL IMPROVEMENTS.

Messrs. Cleveland, Moore, McBeth, Phelan, and Eastman.

ON PUBLIC LANDS.

Messrs. Campbell, Thompson, and Crawford.

Mr. Moore moved that the resolution relative to the Committee on State Affairs, ascertaining the number of rooms in the Capitol building that can be used for committee rooms, be taken up.

Carried.

On motion of Mr. Moore, the resolution was adopted.

Mr. Thompson moved that one hundred copies of the standing committees, as appointed, be printed.

Carried.

By Mr. Lockwood:

Resolved, by the Senate, the Assembly concurring, That a committee of five be appointed, two for the Senate and three for the Assembly, to examine Bonfield and Healy's compilation of the Statutes of Nevada, and to report upon the form, style, and correctness of the work, its value, and the propriety of the State purchasing the same.

On the adoption of which the yeas and nays were called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills,

Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAY—Mr. Clapp—1.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA,
EXECUTIVE DEPARTMENT. }

To the honorable the Senate of Nevada:

I have the honor to transmit herewith the Report of the Controller of State for the Seventh and Eighth Fiscal Years.

L. R. BRADLEY.

Mr. Phelan moved that the Report of the Controller be referred to the Committee on State Affairs.

Mr. McClinton moved to amend by referring the report to the Committee on Ways and Means.

Carried.

Mr. Thompson moved to take from the table the resolution relative to the contested seats of Senators from White Pine County, and to refer the same to Committee on Elections.

Mr. Cleveland moved, as a substitute, that the whole subject matter be referred to the Committee on Elections.

Carried.

Mr. Varian moved that the resolution relative to furnishing stationery to members, be taken from the table.

Carried.

Mr. McBeth moved the adoption of the resolution.

Carried.

By Mr. Phelan:

Resolved, That the Chairmen of committees be authorized to employ clerks, and notify the Sergeant-at-Arms of such appointments; *provided*, that a majority of members of committees consent.

Mr. Davenport moved to amend by inserting the words, "and *provided further*, that such committees shall be allowed clerks by vote of the Senate."

Mr. Moore moved to lay the resolution on the table.

Carried.

Mr. Phelan moved to reconsider the vote whereby the resolution relative to the appointment of a fireman was laid on the table on Friday last.

On which the yeas and nays were called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Hazlett, McBeth, Phelan, Thompson, and Walter—10.

NAYS—Messrs. Davenport, Eastman, Hill, Hobart, Lockwood, McClinton, Mills, Moore, Small, Stevenson, Varian, and Wilson—12.

So the Senate refused to reconsider the vote.

By Mr. Moore:

Resolved, That the Committee on Elections be authorized to employ a clerk.

Adopted.

Mr. McBeth moved to take from the table the resolution relative to the appointment of a night watchman.

Lost.

NOTICES.

By Mr. Phelan: That he will, on some future day, introduce a bill for An Act to incorporate the Ancient Order of Hibernians.

Also, a bill for An Act to provide for an inspector of alcoholic liquors in the several counties of this State.

Also, a bill for An Act to exempt the property of the Miners' Unions of this State from taxation.

INTRODUCTION OF BILLS.

Mr. McClinton introduced Senate Bill No. 8—An Act to transfer certain moneys from the Indigent Sick Fund and Contingent Fund of Esmeralda County, to the Redemption Fund of that county.

Read first time; rules suspended; read second time by title, and referred to the delegation from Esmeralda County.

Mr. Moore asked leave to introduce a bill without previous notice.

Leave granted.

Senate Bill No. 9—An Act to amend an Act entitled "An Act to create the County of Elko and provide for the organization thereof."

Read first time.

Mr. Moore moved that the rules be suspended, the bill read the second time by title, and referred to a Committee of the Whole.

Mr. Cleveland moved to amend by referring the bill to a committee of one from each county.

Mr. McCoy moved to amend the motion of Mr. Moore, by making the bill the special order for Thursday, sixteenth instant, at two o'clock P. M.

Carried.

Mr. Thompson asked leave to introduce a bill without previous notice.

Leave granted.

Senate Bill No. 10—An Act to regulate and tax foreign insurance companies doing business in this State.

Read first time.

On motion of Mr. Thompson, the rules were suspended; the bill read the second time by title, and referred to the Committee on Corporations.

By Mr. McCoy: That he will, at an early day, introduce a bill to authorize the construction of a railroad from or near the Town of Palisades, in Lander County, via Eureka, in said county, to a point at or near the Town of Pioche, in Lincoln County, and thence by the best, nearest, and most practicable route, to the Colorado River.

Mr. Phelan moved to adjourn.

Carried.

So, at twelve o'clock and thirty minutes, the Senate adjourned.

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL, Secretary of Senate.

IN SENATE—NINTH DAY.

CARSON CITY, January 14th, 1873.

Senate called to order at eleven o'clock A. M.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

Absent—Messrs. Fox and Hill—2.

Prayer by the Chaplain, Rev. Mr. Allen.

Mr. McCoy introduced the following resolution, by leave of the Senate:

WHEREAS, with feelings of profound regret, we have been informed of the death of Dr. R. B. Ellis, one of Nevada's pioneers, one of her most respected citizens, and one of her most estimable gentlemen; therefore,
Resolved, as a mark of respect to his memory, that the Senate take a recess until two o'clock this day, to attend the funeral of deceased.

Adopted.

AFTERNOON SESSION.

Senate called to order at two o'clock P. M.

President in the chair.

Roll called.

Present—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Stevenson, Thompson, Varian, and Walter—19.

Absent—Messrs. Fox, Hill, McBeth, Small, and Wilson—5.

Journal of yesterday read and approved.

The President made a correction in the appointment of committees appointed yesterday, by appointing Mr. Walter as Chairman of Committee on Public Lands, instead of Mr. Campbell, and by appointing Mr. Campbell on Committee of Public Morals, instead of Mr. Walter.

No objection being made, they were so approved.

The following communication was received from L. M. Meder, Page:

CARSON CITY, January 13th, 1873.

To the honorable FRANK DENVER, President of the Senate:

Having had the honor of serving as Page in your honorable body ever since the organization of the State, and deeming the position more suited to a youth of less years and dimensions, I therefore most re-

spectfully resign my position as Page. Allow me to return my most grateful regards for the appointment.

Respectfully yours,

L. M. MEDER.

The President announced the appointment of James W. Smith as Page.
The President announced the appointment of the following named Senators, as

COMMITTEE ON CENTENNIAL AFFAIRS:

Messrs. Eastman, McCoy, Hazlett, Stevenson, and Wilson.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Committee on Ways and Means, to which was referred the Biennial Report of the State Controller, beg leave to report that they have had the same under consideration, and offer the following concurrent resolution:

Resolved, by the Senate, the Assembly concurring, That twelve hundred (1,200) copies of the Report of the State Controller be printed; fifty (50) copies thereof for the State Library, three hundred (300) copies thereof for the use of the members of the Senate, five hundred and fifty (550) copies thereof for the use of the members of the Assembly, three hundred (300) copies thereof for the use of the Controller, to supply the various county officials and exchange with the several States and Territories.

HAZLETT, Chairman.

MR. PRESIDENT: The Committee on State Affairs, in compliance with a resolution of the Senate, herewith respectfully report that they have made due examination of the Capitol building, with a view to ascertaining the number of vacant rooms suitable for the purposes of committees. The committee find that the whole number of rooms in the Capitol building now vacant and suitable for committee purposes, is two, situated as follows: one room in the east wing and on the first floor of the Capitol, opposite the office of the Attorney General; and one room immediately adjoining the office of the Attorney General. The expense of fitting up these rooms for committee rooms will be comparatively trifling, and the committee suggest that the Secretary of State be authorized by resolution of the Senate to attend to the fitting up and preparing of the aforesaid rooms for committee uses.

All of which is respectfully submitted.

W. S. HOBART,
C. S. VARIAN,
JAS. W. SMALL,
Committee.

COMMITTEE ROOMS SENATE COMMITTEE ON ELECTIONS, }
CARSON, January 14th, 1873. }

To the honorable the Senate of Nevada:

SENATORS: Your committee to whom was referred the following resolution, viz:

"Resolved, That the further consideration of the credentials of Messrs. Allen and Wagner, and all contest with regard to the seats of Messrs. Cleveland and Mills, be indefinitely postponed, together with the whole subject matter relative thereto."

Have carefully investigated the case, and have the honor to report thereon as follows:

That your committee caused to be summoned before it Messrs. Wagner, Cleveland, and Mills, of White Pine County, and from the statements of those gentlemen elicited the following facts:

First—That no proclamation was made by the Governor of Nevada, calling for the election of a Senator or Senators, at the last general election, to represent the County of White Pine.

Second—That in the call for an election by the County Commissioners of said county no mention was made of the office of Senator.

Third—That neither the Republican or Democratic County Conventions made nominations for Senator from said county, and that the only nominations made for Senators for said county were announced by the respective County Central Committees a short time prior to the last general election.

These facts appeared without contradiction.

This committee addressed a letter to Hon. R. S. Mesick, of Virginia City, stating the foregoing facts, and requesting his opinion on the constitutional provisions of this State, and the law creating the County of White Pine, as applied to the facts admitted, and have received from him the following reply:

"VIRGINIA, January 11th, 1873.

"To the honorable Messrs. J. B. MOORE, C. C. STEVENSON, ROBERT McBETH, J. C. HAZLETT, and GEORGE W. CASSIDY, Senate Committee on Elections, Carson:

"GENTLEMEN: In reply to your communication of the ninth instant, addressed to me, I have the honor to state that I have examined the subject therein referred to, and consider it plain upon the Constitution of this State and the admitted facts in the case, that the term of each Senator from White Pine County is four years from the day succeeding the date of his election, and that any election heretofore had to fill the place of either of them was invalid. The case seems to rest for its decision upon section ten of Article XVII of our State Constitution, and the admitted fact that the terms of the Senators from White Pine County have never been allotted by the Legislature in long and short terms under said section. This section plainly and positively makes four years the term of each Senator elected at the general election in eighteen hundred and sixty-six and afterwards, and leaves such term liable to no abridgement except by action of the Legislature.

"Therefore, in the absence of any such legislative action, the legal term of each of these Senators must be four years, and the evident consequence follows that all voting heretofore by the people to fill the place of either of them, was unauthorized and of no effect.

"It seems to me clear that the Constitution conferred upon the Legislature the power of doing nothing in the premises, except to shorten the term of one of these Senators so as to make it end on the day succeed-

ing the last general election, and this not having been done, the power of necessity expired; and both terms having been allowed to run beyond that day, they must continue for two years thereafter, and the present Legislature is powerless in the matter.

"Considering that the law, because of the non-action of the Legislature, has extended both terms beyond the day following the last election, and that no intermediate day between that and two years thereafter is provided by the Constitution when either term might cease, it seems to me that nothing can now be done legally to shorten either term.

"Respectfully yours, etc.,

"R. S. MESICK."

From the facts, as they appear to this committee, and the Constitution and laws applicable to the case, your committee find:

First—That no vacancy existed in the office of Senator from White Pine County at the last general election.

Second—That as no vacancy existed no valid election could be held to fill such vacancy.

Third—That Messrs. Cleveland and Mills having been elected for the term of four years, and said term not yet having expired, are entitled to hold their seats as Senators from White Pine County.

Respectfully submitted.

J. B. MOORE,
J. C. HAZLETT,
ROBERT McBETH,
GEO. W. CASSIDY.

Mr. Stevenson gave notice that he should make, at some future day, a minority report.

The concurrent resolution introduced in the report of the Committee on Ways and Means was taken up, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAYS—None.

Absent—2.

Mr. Hobart moved that the report of the Committee on State Affairs be taken up.

Carried.

Mr. Stevenson moved that the consideration of the report of Committee on Elections be made the special order for Thursday, twenty-third, at one o'clock P. M.

Carried.

REPORT OF SELECT COMMITTEE.

Mr. McClinton, from the special committee to which was referred Senate Bill No. 8, reported that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend that the rules be suspended, the bill be considered engrossed, and placed upon its final passage.

Mr. Mills moved that Senate Bill No. 8 be placed on the General File.
Carried.

MOTIONS AND RESOLUTIONS.

Mr. Phelan moved that the resolution relative to the per diem of members and attachés be taken from the table.

Carried, and the resolution adopted.

By Mr. McCoy:

Resolved, That the Judiciary Committee be authorized to employ a clerk.

Mr. Mills offered the following as a substitute:

Resolved, That the Chairmen of the following committees are hereby authorized to employ clerks, as follows: Committee on Judiciary, one clerk; Committee on Ways and Means, one clerk; Committee on Mines and Mining and Counties and County Boundaries, jointly, one clerk; Committee on Claims and State Affairs, jointly, one clerk; Committee on Military and Indian Affairs and State Prison, jointly, one clerk.

Mr. Moore moved to refer the resolution to the Committee on Ways and Means.

Mr. McClinton moved as a substitute, to lay the resolution on the table.

Carried.

Mr. Phelan moved to take the resolution from the table, offered by him yesterday, relative to committee clerks.

By Mr. Lockwood, as a substitute:

Resolved, That when any committee of the Senate is authorized to employ a clerk, that the majority of said committee shall elect said clerk.

Adopted.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 14th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Concurrent Resolution No. 5—Relative to printing Assembly Concurrent Resolution No. 1.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

Mr. Lockwood moved that Assembly Concurrent Resolution No. 5 be adopted.

On which, the yeas and nays were called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Davenport, Eastman, Haz-

lett, Hobart, McCoy, McClinton, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—16.

NAYS—Messrs. Cleveland, Crawford, Mills, Moore, and McBeth—5.

Absent—3.

By Mr. Varian:

Resolved, That no per diem shall be allowed committee clerks for time prior to the day of the notice to the Senate of their appointment.

Adopted.

By Mr. Varian:

Resolved, That the Secretary of State be and he is hereby authorized to procure all necessary furniture and fixtures for such committee rooms as may be selected by the Committee on State Affairs.

Adopted.

NOTICES.

By Mr. McCoy: That he will, on some future day, introduce a bill for An Act to encourage the development of coal mines in this State.

By Mr. Lockwood: That he will, on some future day, introduce a bill for An Act providing for the government of the towns and cities of this State.

By Mr. Cleveland: That he will, on some future day, introduce a bill for An Act to amend an Act entitled "An Act to create the County of White Pine."

By Mr. McBeth: That he will, on some future day, introduce a bill for An Act to incorporate the City of Winnemucca, and to locate the State university thereat.

By Mr. Eastman: That he will, on some future day, introduce a bill for An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine.

By Mr. Moore: That he will, on some future day, introduce a bill for An Act to more clearly define the southern boundary line of Elko County.

Mr. Mills asked leave to introduce a bill, without previous notice.

Leave granted.

Senate Bill No. 12—An Act to provide firemen for the furnaces of the Capitol building during the sessions of the Legislature.

Mr. Mills moved that the rules be suspended; the bill read second time by title, and referred to the Committee on State Affairs.

Carried.

INTRODUCTION OF BILLS.

Mr. Varian introduced Senate Bill No. 13—An Act to compel children to attend school.

Read first time.

On motion of Mr. Varian, the rules were suspended; the bill read the second time by title, and referred to the Committee on Education, and two hundred and forty copies ordered printed.

Mr. Cassidy introduced Senate Bill No. 14—An Act to create Eureka County, and provide for its organization.

On motion of Mr. Cassidy, the bill was read the first time; rules suspended; read second time by title, and referred to the Lander delegation.

Mr. Walter asked leave to introduce a bill, without previous notice.

Leave granted.

Senate Bill No. 15—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven," approved March third, eighteen hundred and sixty-nine.

Bill read first time.

On motion of Mr. Walter, read second time by title, and referred to Committee of the Whole.

Mr. Cleveland asked leave to introduce a bill, without previous notice.

Leave granted.

Senate Bill No. 16—An Act to amend an Act entitled "An Act defining the duty of the Attorney General of the State of Nevada."

Mr. Cleveland moved that the reading had be considered the first reading; that the rules be suspended; the bill read second time by title, and referred to the Committee on Judiciary.

Carried.

THIRD READING OF BILLS.

Senate Bill No. 8—An Act to transfer certain moneys from the Indigent Sick and Contingent Funds of Esmeralda County, to the Redemption Fund of said county.

Roll called on the final passage of the bill with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAYS—None.

Absent—2.

So the bill passed.

MOTIONS AND RESOLUTIONS.

By Mr. McClinton:

WHEREAS, In the inscrutable ways of Divine Providence, the Ruler of the Universe has removed from our midst by death, the Hon. W. M. Boring; and, whereas, the deceased was at the time of his death an honorable member of this body; therefore, be it

Resolved, That in the death of the Hon. W. M. Boring the Senate has lost one of its wisest and best members; the State has lost a competent and incorruptible legislator; the bar of this State has lost one of its brightest ornaments; society has lost a gem, and humanity one of its noblest friends.

Resolved, That out of respect to the memory of deceased, these resolutions be entered upon the Journal of the Senate; and that the Senate do now adjourn until to-morrow.

Mr. Eastman moved the adoption of the resolutions.

Carried.

And, at three o'clock and thirty-five minutes P. M., the Senate adjourned.

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

IN SENATE—TENTH DAY.

CARSON CITY, January 15th, 1873.

Senate called to order at eleven o'clock A. M.

President in the chair.

Roll called; the following named Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Hazlett, Hill, Hobart, Lockwood, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

Absent—Messrs. McCoy and Mills—2.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read, several corrections made, and, on motion of Mr. Lockwood, approved as corrected.

Mr. Cassidy asked leave of absence for Mr. McCoy for the remainder of the day.

Leave granted.

REPORT OF SELECT COMMITTEE.

Mr. PRESIDENT: Your committee composed of the Lander County delegation, to whom was referred Senate Bill No. 14—entitled "An Act to create the County of Eureka, and provide for its organization"—beg leave to report that they have had the same under consideration, and herewith return it to the Senate with the recommendation that it do pass.

W. W. McCOY,
GEO. W. CASSIDY,
Lander County Delegation.

Mr. Cassidy moved that the report of the committee be adopted, and that two hundred and forty copies of the bill be ordered printed.

Carried.

MOTIONS AND RESOLUTIONS.

By Mr. Stevenson:

Resolved, That Willie McDade be appointed additional Page of the Senate.

Adopted.

By Mr. McClinton:

Resolved, That the Committee on Education, the Committee on State Affairs, and the Committee on Agriculture and Manufactures, be authorized to appoint one clerk jointly.

Mr. Small moved the adoption of the resolution.

Carried.

By Mr. Moore:

Resolved, That the Senate Committee on Public Printing be and is hereby authorized to inquire into the reasons and cause of the delay in supplying the Senate with bills and other matter ordered printed, and report to the Senate at as early a day as practicable.

Mr. McBeth moved the adoption of the resolution.

Carried.

By Mr. Hazlett:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to draw his warrant on the Contingent Fund of the Senate, in favor of M. S. Thompson, for three (3) days' services as Sergeant-at-Arms; P. Burnham, for three (3) days' services as Assistant Sergeant-at-Arms; and Master L. Winnie, for three (3) days' services as Page; and J. Sackett, for three (3) days' services as Porter.

Mr. Crawford moved the adoption of the resolution.

Carried.

By Mr. Hazlett:

Resolved, That all extra copying required to be done for the Senate, shall be under the supervision of the Secretary of the Senate, and shall be compensated at the rate of fifteen cents per folio; and upon such accounts being certified to by the Chairman of the Committee on Claims, the Sergeant-at-Arms shall draw his warrant on the Contingent Fund of the Senate in payment thereof.

Adopted.

Mr. Davenport moved that two hundred and forty copies of blank reports for Committee on Engrossment be printed.

Carried.

By Mr. Lockwood:

Resolved, That the Committee on Printing be authorized to print two hundred and forty blank reports for the Committee on Enrollment.

Adopted.

Mr. Hazlett moved that the Committee on Ways and Means be authorized to employ a clerk.

On which the yeas and nays were called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills,

Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAYS—None.

By Mr. McClinton:

Resolved, That the Judiciary Committee be authorized to employ a clerk.

The roll was called on the adoption of the resolution, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—None.

The President appointed William McDade as Page for the Senate. President pro tem. in the chair.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 14th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body, Senate Concurrent Resolution No. 5—In relation to printing Report of Superintendent of Public Instruction.

Also, Senate Concurrent Resolution No. 6—For exchanging printed bills.

Also, Senate Concurrent Resolution No. 7—In relation to appointment of Joint Committee to examine and report upon Compilation of Statutes by Bonnifield and Healy.

The same having this day passed the Assembly.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

The President appointed, as Special Committee on Compilation of Laws, Messrs. Varian and McClinton.

Mr. Moore, from Standing Committee on Elections, reported that said committee had appointed George Lyon as Clerk.

NOTICES.

By Mr. Cleveland: That he will, on some future day, introduce a bill for An Act concerning estray animals.

Also, for An Act to establish the northern boundary of White Pine County and annex Ruby Valley to said county.

By Mr. Mills: That he will, on some future day, introduce a bill for An Act to establish the State University at Treasure Hill, and to set

apart the taxes on real estate in Copperhead Cañon into its Endowment Fund.

Also, a bill to obtain students for the University when established.

By Mr. McBeth: That he will, on some future day, introduce a bill for An Act to protect farms and farming interests against the encroachments and trespasses of live stock.

Also, a bill for An Act to amend an Act entitled "An Act concerning officers," approved November twenty-ninth, eighteen hundred and sixty-one.

By Mr. Wilson: That he will, on some future day, introduce a bill for An Act to reconstruct the Town of Tanaca, and to locate the State University at that place when so reconstructed.

By Mr. Walter: That he will, on some future day, introduce a bill for An Act to authorize the State Treasurer to employ a deputy, and fixing his compensation.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Cassidy introduced Senate Bill No. 18—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of justice in this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

Mr. Cassidy moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. McBeth introduced Senate Bill No. 19—An Act entitled An Act in relation to public highways.

Mr. McBeth moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee on Roads and Bridges.

Carried.

Mr. Moore introduced Senate Bill No. 20—An Act to provide for the government of the State Prison.

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill be referred to the Committee on State Prison, and that two hundred and forty copies thereof be ordered printed.

Carried.

MESSAGES FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, January 14th, 1873. }

To the honorable the Senate of Nevada:

I have the honor to herewith transmit the Reports of the State Treasurer for the years eighteen hundred and seventy-one and eighteen hundred and seventy-two respectively.

Respectfully,

L. R. BRADLEY, Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, January 15th, 1873. }

To the honorable the Senate:

I have the honor to herewith transmit the Biennial Report of the Surveyor General.

Respectfully,

L. R. BRADLEY, Governor.

Mr. Mills moved to refer the messages and the Reports of the Surveyor General and State Treasurer to the Committee on Ways and Means.

Carried.

NOTICE.

By Mr. Mills, on leave: That he will, on some future day, introduce a bill for An Act to limit the time for taking appeals in criminal cases.

Mr. Eastman moved that the Senate adjourn.

Carried.

So, at eleven o'clock and fifty-three minutes, the Senate adjourned.

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—ELEVENTH DAY.

CARSON CITY, January 16th, 1873.

Senate met pursuant to adjournment.

The President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Absent—None.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

The President administered the oaths of office and secrecy to Masters McDade and Smith, as Pages of the Senate.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Committee on Ways and Means, to which was referred the Biennial Report of the Surveyor General and Register of

State Land Office, have had the same under consideration, beg leave to report the following concurrent resolution, and recommend its adoption:

Resolved, by the Senate, the Assembly concurring, That twelve hundred (1,200) copies be printed—fifty copies thereof for the State Library; three hundred (300) copies thereof for the use of the members of the Senate; five hundred and fifty (550) copies thereof for the use of the members of the Assembly, and three hundred (300) copies for the use of the Surveyor General and Register of State Land Office for distribution and supplying exchanges.

HAZLETT, Chairman.

On the adoption of the concurrent resolution introduced by the Committee on Ways and Means, the roll was called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

Absent—2.

Mr. PRESIDENT: Your Committee on Ways and Means, to which was referred the Biennial Report of the State Treasurer, have had the same under consideration, beg to report the following concurrent resolution, and recommend its adoption:

Resolved, by the Senate, the Assembly concurring, That twelve hundred copies of the Report of the State Treasurer be printed; fifty copies thereof for the State Library; three hundred copies thereof for the use of the members of the Senate; five hundred and fifty copies thereof for the use of the members of the Assembly; and three hundred copies thereof for the use of the Treasurer, for the purpose of supplying the various county officials and exchanging with States and Territories.

HAZLETT, Chairman.

The roll being called, the above resolution was adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAYS—None.

Absent—Messrs. Hill and McCoy—2.

Mr. PRESIDENT: Your Committee on Roads and Bridges, to which was referred Senate Bill No. 9—An Act entitled "An Act in relation to public highways"—report that they have had the same under consideration, have come to a favorable conclusion thereon, have directed their Chairman to report the same to the Senate, and recommend that two hundred and forty copies of the bill be printed.

Report adopted.

CAMPBELL, Chairman.

Mr. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 10—entitled "An Act to regulate and tax foreign insurance companies doing business in this State"—beg leave to report that they have had the same under consideration, and herewith report the bill back to the Senate, and recommend its passage.

JNO. R. WILSON, Chairman.

Report adopted.

Mr. PRESIDENT: The Committee on State Affairs, to which was referred Senate Bill No. 12, having had the same under consideration, herewith report the same back to the Senate, and recommend its passage.

W. S. HOBART, Chairman.

Report adopted.

MESSAGE.

SEAT OF GOVERNMENT, OFFICE OF STATE CONTROLLER,
CARSON CITY, January 16th, 1873. }

To the honorable the Senate:

GENTLEMEN: I would most respectfully call your attention to the resolution passed by your honorable body on the thirteenth instant, authorizing and directing the Controller to draw his warrant on the Contingent Fund of the Senate in favor of each member for the sum of sixty dollars, being for stationery, etc. As this aggregate would exhaust over one third of that Fund, and as the amount for such purpose is, in my opinion, a proper charge against the regular Fund, I would suggest that the wording of said resolution be changed so as to read "Legislative Fund" in place of "Contingent Fund."

Very respectfully, your obedient servant,

W. W. HOBART, Controller.

By THEO. A. HALE, Deputy.

Mr. Cassidy moved that Rule Twenty-four be suspended, and the vote reconsidered by which the resolution relative to furnishing stationery was adopted.

Carried.

Mr. Cassidy moved that the resolution be amended by inserting therein, in lieu of the words "Contingent Fund," the words "Legislative Fund."

Carried.

On motion, the resolution was adopted as amended.

MOTIONS AND RESOLUTIONS.

By Mr. Stevenson:

Resolved, That the per diem of Willie McDade, Page of the Senate, be three dollars, to be paid out of the Contingent Fund of the Senate.

Adopted.

By Mr. Mills:

Resolved, That the Committees on State Prison, and Military and Indian Affairs, be authorized to employ one clerk jointly.

Adopted.

By Mr. Phelan:

Resolved, That the Committee on Claims be authorized to employ a clerk.

Mr. Lockwood moved, as an amendment, that each committee shall have a clerk.

On the adoption of Mr. Lockwood's amendment, the roll was called, with the following result:

YEAS—Messrs. Clapp, Eastman, Fox, and Phelan—4.

NAYS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

Roll called on the adoption of Mr. Phelan's resolution, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

NAYS—None.

By Mr. Wilson:

Resolved, That the Committee on Corporations have a clerk.

Roll called on the adoption of the resolution, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, Phelan, Stevenson, Thompson, Walter, and Wilson—17.

NAYS—Messrs. Crawford, Davenport, Moore, McBeth, Small, and Varian—6.

By Mr. McBeth:

Resolved, That the Committee on State Library be allowed a clerk; and also the Committee on Public Morals.

Roll called on the adoption of the resolution, resulting as follows:

YEAS—Messrs. Campbell, Cassidy, Fox, Hill, Mills, McBeth, Phelan, and Varian—8.

NAYS—Messrs. Clapp, Crawford, Davenport, Eastman, Hazlett, Hobart, McCoy, McClinton, Small, Stevenson, Thompson, Walter, and Wilson—13.

President pro tem. in the chair.

NOTICE.

By Mr. Phelan: That he will, on some future day, introduce a bill for an Act to prevent the endangering of health and life in the mines of this State.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Phelan introduced Senate Bill No. 23—An Act relating to the sureties on the official bond of Eben Rhoades, late State Treasurer of the State of Nevada.

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on State Affairs.

Carried.

Mr. Walter introduced a bill for "An Act to amend an Act entitled 'An Act concerning District Attorneys, approved March eleventh, eighteen hundred and sixty-five,' approved February twenty-sixth, eighteen hundred and sixty-six," approved March eleventh, eighteen hundred and sixty-seven.

By leave of Senate, withdrawn for correction.

Mr. McBeth introduced Senate Bill No. 24—An Act to amend an Act entitled "An Act concerning officers," approved November twenty-ninth, eighteen hundred and sixty-one.

Bill read first time.

On motion of Mr. McBeth, the rules were suspended; the bill read second time by title, and referred to the Committee on Judiciary.

Mr. Davenport introduced Senate Bill No. 25—An Act to amend section three of an Act entitled "An Act to provide for the registration of the names of electors, and to prevent fraud at elections," approved March fifth, eighteen hundred and sixty-nine.

Bill read first time.

Mr. Stevenson moved that the rules be suspended; the bill be read second time by title; referred to the Committee on Ways and Means, and two hundred and forty copies ordered printed.

Carried.

Mr. Lockwood introduced Senate Bill No. 26—An Act providing for the government of the towns and cities of this State.

Mr. Lockwood moved that the rules be suspended; the bill be read the first and second times by title; referred to the Committee on Judiciary, and two hundred and forty copies ordered printed.

Carried.

Mr. McBeth, by leave, without previous notice, introduced Senate Bill No. 27—An Act to exempt from taxation the property of the Improved Order of Red Men.

Mr. McBeth moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee on Indian Affairs.

Carried.

Mr. Hill, by leave, and without previous notice, introduced Senate Bill No. 28—An Act fixing the salary of the District Attorney of Churchill County.

Mr. Hill moved that the reading just had be considered the first read-

ing of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

GENERAL FILE.

Senate Bill No. 12—An Act to provide firemen for the furnaces of the Capitol building during the sessions of the Legislature.

Mr. Mills moved that the rules be suspended; the bill considered engrossed, and placed on its third reading and final passage.

Mr. Mills moved that the bill be referred to a committee of one, with instructions to strike out section three.

Carried.

The President appointed Mr. Mills as such committee.

Mr. Mills, as special committee appointed to strike out section three, reported the work accomplished.

On motion, the report was adopted.

Mr. McBeth moved to refer the bill to a special committee of one, with instructions to strike out "Sergeant-at-Arms," and insert "Secretary of State."

The yeas and nays were called for, with the following result:

YEAS—Messrs. Campbell, Clapp, Cleveland, Davenport, Lockwood, McCoy, McClinton, Moore, McBeth, Small, and Walter—11.

NAYS—Messrs. Cassidy, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, Mills, Phelan, Stevenson, Thompson, Varian, and Wilson—13.

Roll called on final passage of the bill, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

NAYS—None.

Senate Bill No. 10—An Act to regulate and tax foreign insurance companies doing business in this State.

Mr. Thompson moved that the bill be considered engrossed, and placed on its third reading and final passage.

Mr. McClinton moved to amend by making the bill the special order for Saturday next, at one o'clock p. m.

Mr. Varian moved to amend by making the bill the special order for Monday next, at one o'clock p. m.

Mr. Davenport moved, as a substitute, that the bill be ordered engrossed.

Carried.

Mr. Moore moved to suspend Rule No. 62, temporarily, that special order might be taken up.

Carried.

Mr. Moore moved that Senate Bill No. 9, which had been made the special order for to-day, at two o'clock p. m., be ordered engrossed.

Carried.

Mr. McBeth moved to adjourn.

Carried.

So, at twelve o'clock and forty minutes, the Senate adjourned.

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

IN SENATE—TWELFTH DAY.

CARSON CITY, January 17th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Absent—None.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 9—entitled An Act to amend an Act entitled "An Act to create the County of Elko and provide for the organization thereof," approved March fifth, eighteen hundred and sixty-nine—with the original copy thereof, and find it correctly engrossed.

T. S. DAVENPORT,
ROBT. McBETH.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 10—entitled "An Act to regulate and tax foreign insurance companies doing business in this State"—with the original copy thereof, and find it correctly engrossed.

T. S. DAVENPORT,
ROBT. McBETH.

Mr. PRESIDENT: Your Committee on Military and Indian Affairs, to which was referred Senate Bill No. 27—"An Act to exempt from taxation the property of the Improved Order of Red Men"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and report the bill back to the Senate, and recommend its passage.

FOX, Chairman.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Concurrent Resolutions Nos. 5, 6, and 7, have been carefully compared with the original resolutions, found correctly enrolled, and have this day been deposited with the Secretary of State.

A. J. LOCKWOOD, Chairman.

Mr. McCoy, from the Standing Committee on Judiciary, to which was referred Senate Bill No. 16—An Act to amend an Act entitled "An Act defining the duties of the Attorney General of the State of Nevada," approved March eleventh, eighteen hundred and sixty-seven—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with a recommendation that it do pass with the accompanying amendment:

"SEC. 2. This Act to take effect and be in force from and after the first Monday of January, A. D. eighteen hundred and seventy-five."

MOTIONS AND RESOLUTIONS.

By Mr. Varian:

Resolved, That the committee clerks of the Senate shall be allowed but one per diem for their services. No person serving and drawing pay as a clerk of an Assembly committee shall receive any compensation from the Senate for like services.

Adopted.

By Mr. Varian:

Resolved, That when the Senate adjourns it adjourns to Monday, January twentieth, eighteen hundred and seventy-three.

Adopted.

By Mr. McBeth:

Resolved, by the Senate, the Assembly concurring, That our Senators in Congress be and they are hereby instructed, and our Representative requested, to use their influence to have Congress propose amendments to the Constitution of the United States, so as to provide for the election of the President; and Vice President, and United States Senators, by a direct vote of the people of the several States.

Resolved, That his Excellency the Governor be and he is hereby requested to transmit a copy of these resolutions to each of our Senators and Congressman, and to the President of the Senate and Speaker of the House of Representatives.

Mr. Lockwood moved to refer the resolution to the Committee on Federal Relations.

Carried.

President pro tem. in the chair.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 16th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Concurrent Resolution No. 6—In relation to Election of a Board of Regents.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 15th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Concurrent Resolution No. 11—Relative to printing Controller's Report—the same having passed the Assembly this day by the following vote: Yeas, 41; nay, 1.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

On motion, Assembly Concurrent Resolution No. 6—Relative to the election of a Board of Regents—was taken up.

Mr. Cleveland moved to refer to the Committee on State Affairs.
Carried.

NOTICES.

Mr. PRESIDENT: Notice is hereby given that the Judiciary Committee have this day elected J. H. Harris clerk of said committee.

W. W. McCOY, Chairman.

COMMITTEE ROOM, January 16th, 1873.

By Mr. McClinton: That he will, on some future day, introduce a bill for An Act for the relief of John B. Helm, Sheriff of Esmeralda County.

By Mr. Phelan: That he will, on some future day, introduce a bill for An Act to provide for the removal of Gates and Lefever, insane convicts, from the State Prison to the Insane Asylum.

By Mr. Stevenson: That the Committees on Education, Agriculture and Manufactures, and State Affairs have elected H. E. Long clerk.

Mr. Cassidy, by leave, offered the following report from the Committee on Printing:

Mr. PRESIDENT: In response to an inquiry made on the fifteenth instant, your Committee on Printing beg leave to report that they have

interviewed the State Printer, and find that he is doing all in his power, with the facilities at hand, to do the work of this body as expeditiously as possible.

The delay in the appointment of the several committees in the two Houses has operated to retard the printing of the Rules, as it is customary to print a full list of the committees therewith.

Your committee would explain that there is no economy in time in printing the very elaborate reports of the State officers in the office of the State Printer of this State. Larger forces can be employed in the cities of our neighboring State, and, as a rule, the work may be returned at an earlier period than the same could possibly be done here.

Respectfully,

GEO. W. CASSIDY, Chairman.

INTRODUCTION OF BILLS.

By Mr. Walter, by leave, and without previous notice: Senate Bill No. 31—An Act to amend an Act entitled "An Act concerning District Attorneys," approved March eleventh, eighteen hundred and sixty-five, approved February twenty-sixth, eighteen hundred and sixty-six, approved March eleventh, eighteen hundred and sixty-seven.

Read first time.

Mr. Walter moved that the rules be suspended, the bill read the second time by title, and referred to the Committee of the Whole.

Mr. Lockwood moved to amend, by referring to the Committee on Judiciary.

Carried.

By Mr. Eastman: Senate Bill No. 32—An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine.

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Moore, in accordance with previous notice: Senate Bill No. 33—An Act to amend an Act entitled "An Act to define the boundary line of Elko County, Nevada," approved March first, eighteen hundred and seventy-one.

Mr. Moore moved that the reading just had be considered the first reading of the bill; that the rules be suspended; the bill read second time by title, and referred to the Committee on Counties and County Boundaries.

Mr. Lockwood rose to the point of order, that it was not in order to make such a motion.

Ruled not well taken.

Mr. Mills appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the decision of the Senate?" the yeas and nays were called for, by Messrs. Eastman, Cleveland, and Small, and the decision of the Chair was sustained, by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Eastman, Fox,

Hazlett, Hill, Hobart, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—Messrs. Davenport and Lockwood—2.

Not voting—Mr. Crawford—1.

The question now being on Mr. Moore's motion, concerning the suspension of the rules and reference of the bill to the Committee on Counties and County Boundaries, the motion was carried.

Mr. Cleveland, pursuant to notice, introduced Senate Bill No. 34—An Act to amend "An Act to create the County of White Pine and provide for its organization."

Read first time.

Mr. Mills moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Thompson, in accordance with previous notice, introduced Senate Bill No. 35—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act in relation to common jails and the prisoners thereof,' approved November twenty-fifth, eighteen hundred and sixty-one," approved March third, eighteen hundred and sixty-six.

Read first time.

Mr. Thompson moved that the rules be suspended; the bill be read the second time by title, and that two hundred and forty copies thereof be ordered printed.

Mr. Walter moved to amend, by referring the bill to the Judiciary Committee.

Carried.

GENERAL FILE.

Senate Bill No. 9—An Act to amend an Act entitled "An Act to create the County of Elko, and to provide for the organization thereof," approved March fifth, eighteen hundred and sixty-nine.

Read third time.

Mr. Eastman moved to make the bill the special order for Wednesday next, at two o'clock P. M.

Mr. Lockwood rose to the point of order that the bill, being on its final passage, could not be made a special order.

Ruled well taken.

The question being on the final passage of the bill, the roll was called, and the bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Hazlett, Hill, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Thompson, and Varian—14.

NAYS—Messrs. Clapp, Davenport, Eastman, Fox, Hobart, Lockwood, Small, Stevenson, Walter, and Wilson—10.

Mr. Cassidy moved that Senate Bill No. 14—"An Act to create the County of Eureka, and provide for the organization thereof"—be taken from the table.

Carried.

Mr. Cassidy moved that the bill be ordered engrossed.

Carried.

Mr. Varian moved to adjourn.

Carried.

So, at twelve o'clock and forty minutes P. M., the Senate adjourned till Monday, January twentieth, at eleven o'clock A. M.

Approved: FRANK DENVER, President.

Attest: CHAS F. BICKNELL,
Secretary of the Senate.

IN SENATE—FIFTEENTH DAY.

CARSON CITY, January 20th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Fox—1.

Mr. Phelan asked for leave of absence for Mr. Fox for the day.

Leave granted.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of Friday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Concurrent Resolution No. 1 has been carefully compared with the original resolution, found correctly enrolled, and has this day been deposited with the Secretary of State.

A. J. LOCKWOOD, Chairman.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 14—entitled "An Act to create the County of Eureka, and provide for its organization"—with the original copy thereof, and find it correctly engrossed.

Also, report that they have compared Senate Bill No. 34—entitled An Act to amend an Act entitled "An Act to create the County of White Pine, and provide for its organization"—with the original copy thereof, and find it correctly engrossed.

ISRAEL CRAWFORD, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Moore:

Senate Memorial and Joint Resolution No. 36—Relative to public lands in the State of Nevada.

Read first time.

Mr. Lockwood moved that the rules be suspended; the resolution read the second time by title, and referred to the Committee on Federal Relations.

Mr. Hill moved to amend by referring to the Committee on Public Lands.

On which the roll was called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAYS—None.

Not voting—Mr. McCoy—1.

Absent on leave—Mr. Fox—1.

By Mr. Clapp:

Resolved, That the Judiciary Committee be and it is hereby instructed to inquire whether an Act entitled "Forcible entries and unlawful detainers," is now enforced in this State, and if so, whether the same should be amended.

Mr. Eastman moved the adoption of the resolution.

Carried.

By Mr. Campbell:

Senate Concurrent Resolution No. 37—Relative to the saline lands in the State of Nevada.

Read first time.

Mr. McClinton moved that the rules be suspended; the resolution read the second time by title, and referred to the Committee on Public Lands.

On which the roll was called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

NAYS—None.

Report by Mr. Clinton, on leave:

Mr. PRESIDENT: Your Standing Committee on Judiciary, to which was referred Senate Bill No. 24, report that they have had the same under consideration, have come to an unfavorable conclusion thereon, and have directed their Chairman to report the following substitute: "An Act concerning official bonds of Justices of the Peace."

Mr. Campbell moved the adoption of the report.

Carried.

By Mr. McClinton:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to procure a suitable table for the President's stand.

Adopted.

By Mr. Walter:

That the Committee on Public Lands be authorized to employ a clerk.

On the adoption of the resolution the roll was called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Hazlett, Hill, McCoy, McClinton, Mills, Moore, Phelan, Stevenson, Thompson, Walter, and Wilson—16.

NAYS—Messrs. Davenport, Hobart, Lockwood, McBeth, Small, and Varian—6.

President pro tem. in the chair.

INTRODUCTION OF BILLS.

By Mr. McClinton, according to previous notice: Senate Bill No. 38—An Act for the relief of John B. Helm, Sheriff of Esmeralda County.

Read first time.

Mr. McClinton moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Claims.

Carried.

Mr. McClinton, in accordance with previous notice, introduced Senate Bill No. 39—An Act concerning juries.

Read first time.

Mr. Stevenson moved that the rules be suspended; the bill read the second time by title; referred to the Judiciary Committee, and two hundred and forty copies ordered printed.

Carried.

Mr. McCoy moved that the Sergeant-at-Arms be instructed to procure a dictionary from the Library for the use of the Senate.

Carried.

GENERAL FILE.

Senate Bill No. 10—An Act to regulate and tax foreign insurance companies doing business in this State.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

NAYS—None.

Senate Bill No. 27—An Act to exempt from taxation the property of the Improved Order of Red Men.

Mr. McBeth moved that the bill be engrossed.

Carried.

Senate Bill No. 16—An Act to amend an Act entitled "An Act defining the duties of the Attorney General of the State of Nevada," approved March eleventh, eighteen hundred and sixty-seven.

Mr. Phelan moved to refer the bill to the Committee on Judiciary.

Carried.

Senate Bill No. 15—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven," approved March third, eighteen hundred and sixty-nine.

Mr. Walter moved that the Senate go into Committee of the Whole for the consideration of Senate Bill No. 15.

Carried.

Mr. Stevenson in the chair.

In time, the committee rose, and reported the bill back with amendments, and recommended its passage as amended.

Mr. Cleveland moved to adopt the amendments recommended by the Committee of the Whole.

The President ruled the motion out of order.

Mr. Cleveland appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair be considered as the decision of the Senate?" the roll was called, and the decision of the Chair not sustained by the following vote:

YEAS—Messrs. Campbell, Hobart, and McBeth—3.

NAYS—Messrs. Cassidy, Clapp, Cleveland, Davenport, Eastman, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—19.

Mr. Eastman moved, as an amendment to Mr. Cleveland's motion, that the amendments recommended by Committee of the Whole, be taken up, seriatim, and acted on.

Carried.

Mr. Thompson moved the adoption of the first amendment.

On which, the roll was called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—None.

Absent—3.

On motion, the second amendment was adopted.

Mr. Walter moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 19—An Act entitled "An Act in relation to public highways."

Mr. McBeth moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 34—An Act to amend an Act entitled "An Act to create the County of White Pine, and provide for its organization."

Mr. Cleveland moved to refer the Bill to the Committee on Judiciary.

Mr. Stevenson raised the point of order that a bill on its third reading could only be referred to a special committee to amend.

Ruled well taken.

Mr. Cleveland moved that the rules be suspended, and the bill referred to the Committee on Judiciary.

Carried.

Senate Bill No. 14—"An Act to create the County of Eureka, and provide for its organization."

Mr. Varian moved to take a recess until two o'clock P. M.

Carried.

AFTERNOON SESSION.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called.

Present—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

Absent—Messrs. Cleveland, Moore, and McBeth—3.

Mr. Mills asked leave to introduce a resolution out of regular order.

Leave granted.

Resolved, That the Judiciary Committee be instructed to inquire into and report upon the propriety of so amending the Act concerning juries, to-day referred to them, that jurymen will not be preferred creditors of the county.

Adopted.

Mr. McBeth moved that Senate Bill No. 14 be made the special order for Saturday next, at two o'clock P. M.

Motion withdrawn.

Mr. Lockwood moved that the Senate resolve itself into Committee of the Whole for the consideration of the General File.

Carried.

Mr. Eastman in the chair.

In time, the committee rose, and made the following report:

Mr. PRESIDENT: Your Committee of the Whole have had under consideration Senate Bill No. 14, report progress, and ask leave to sit again.

Mr. Phelan moved to adjourn.

Carried.

So, at three o'clock and eighteen minutes P. M., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

IN SENATE—SIXTEENTH DAY.

CARSON CITY, January 21st, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Absent—None.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Varian, from the Committee on Judiciary, to which was referred Senate Bill No. 35, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with amendments, with the recommendation that it pass as amended.

Also, Senate Bill No. 31—that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, without recommendation.

Also, Senate Bill No. 28—Report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate, without recommendation.

Also, Senate Bill No. 18—Report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with amendments, recommending its passage as amended.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 27—"An Act to exempt taxation the property of the Improved Order of Red Men;"

Also, Senate Bill No. 19—An Act entitled "An Act in relation to highways;"

Also, Senate Bill No. 15—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five; approved March eleventh, eighteen hundred and sixty-seven;" approved March third, eighteen hundred and sixty-nine;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,
Committee.

Mr. PRESIDENT: Your Standing Committee on Claims, to which was referred the claims of the Controller of State, Superintendent of Public Instruction, and Surveyor General, report that they have had the same

under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the accompanying resolutions specifying the amount of said claims, and directing their payment. The committee further report that they have appointed E. Wartman as clerk.

PHELAN, Chairman.

Mr. PRESIDENT: Your Committee on State Affairs, having had under consideration Assembly Concurrent Resolution No. 6, herewith respectfully report the same back to the Senate, with the recommendation that it be not concurred in by the Senate, for the following reasons:

Section seven of Article XI of the Constitution provides for the passage of a law by the Legislature providing for the election of a Board of Regents and the defining of the duties and term of office of the same. In accordance therewith, the Legislature, in eighteen hundred and sixty-nine, passed an Act providing for the election of a Board of Regents, to succeed the Board provided for in the Constitution, defining their duties and term of office thereafter, to wit: at the session of eighteen hundred and seventy-one, in accordance with the provisions of the said Act, the Legislature elected Messrs. Clayton, Day, and Schooling as a Board of Regents, who now constitute the Board.

We are, therefore, of opinion that any election of a Board of Regents by the present Legislature, as the law now is, would be illegal and void.

Respectfully,

W. S. HOBART, Chairman.

By Mr. Phelan:

Resolved, That the following amounts for copying State documents be paid out of the Contingent Fund of the Senate, to wit:

To John S. Day, for copying the report of Surveyor General...	\$19 00
To W. W. Hobart, for copying report of Controller.....	195 00
To A. N. Fisher, for copying report of Superintendent of Public Instruction.....	18 75
Total	\$232 75

On motion of Mr. Phelan, the resolution was adopted.

On report of the Committee on State Affairs being taken up, Mr. Cassidy moved that the Senate do not concur in the adoption of Assembly Concurrent Resolution No. 6.

Carried.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Concurrent Resolution No. 11—Relative to printing Controller's Report—has been carefully compared with the original resolution, found correctly enrolled, and has this day been deposited with the Secretary of State.

A. J. LOCKWOOD, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Stevenson:

WHEREAS, An Act of Congress entitled "An Act to regulate the time and manner of holding elections of United States Senators in Congress," approved July, A. D. eighteen hundred and sixty-six, declares that each House shall openly, by a vive voce of each member present, name one person for Senator in Congress; therefore, be it

Resolved, That the Senate do proceed to vote vive voce for a United States Senator, in accordance with the provisions of said Act, on to-day, at twelve o'clock M., to represent this State in the United States Senate.

Adopted.

By Mr. Mills: .

Resolved, That the Committee on Claims be and is hereby authorized and empowered to administer oaths, to examine witnesses, and send for persons and papers.

Adopted.

Resolved, That all claims against the State for services rendered and expenses incurred in recapture of prisoners escaped from the State Prison in the outbreak in September, A. D. eighteen hundred and seventy-one, in order to receive the consideration of this Senate, must be presented to the Senate prior to the tenth of February next, and so indorsed by the Secretary of the Board of Examiners as to show that such claims have received the consideration of said Board of Examiners.

Adopted.

By Mr. Stevenson:

Resolved, That the State Controller be and he is hereby authorized and required to draw his warrant in favor of A. K. Lamb, Sergeant-at-Arms of the Senate, for one thousand dollars, out of the Contingent Fund of the Senate.

Adopted.

By Mr. Stevenson:

Resolved, That the Sergeant-at Arms is hereby directed to deposit the amount of said warrant in the banking house of Wells, Fargo & Co. in this city, to be drawn out upon scrip issued by resolution of the Senate on said Contingent Fund, and any moneys remaining after all of said scrip shall have been paid, shall, upon order of the Controller, be returned to the Treasury to the credit of the General Fund.

Adopted.

Senate Concurrent Resolution No. 40—Relative to granting leave of absence to H. G. Bidleman, County Recorder of Lander County.

Mr. McCoy moved the adoption of the resolution.

On which the roll was called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

NAYS—None.

By Mr. Thompson:

WHEREAS, By an Act of the Legislature, approved March third, eighteen hundred and seventy-one, the Nevada Benevolent Association of the State of Nevada was authorized to give three gift concerts; and whereas, it is provided that twenty-five thousand dollars in coin shall be paid into the State Treasury for the erection and completion of a State Insane Asylum; and whereas, the managers of said gift concert have set the day of the distribution of said gifts; therefore, be it

Resolved, That a committee of three be appointed to investigate and report the amount of moneys paid into the State Treasury by the said Board of Managers.

Adopted.

Mr. Thompson moved that the President appoint a committee of three to investigate the Nevada State law relative to the above resolution.

Carried.

The President appointed Messrs. Thompson, Hobart, and Hill as such committee.

By Mr. Wilson: Senate Concurrent Resolution No. 41:

Resolved, by the Senate, the Assembly concurring, That Mr. W. S. Travis, Sheriff of Lincoln County, have leave of absence for six months.

The roll was called on the adoption of the above resolution, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

NAYS—None.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 20th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 12—"An Act to abolish the use of State revenue stamps, and to provide for the settlement of outstanding stamps"—the same having passed the Assembly by the following vote: Yeas, 46; nays, none.

Also, Assembly Bill No. 3—entitled An Act to amend an Act entitled "An Act to create the office of State Printer"—the same having passed the Assembly by the following vote: Yeas, 48; nays, none.

Also, Assembly Bill No. 9—entitled An Act to amend "An Act to regulate proceedings in civil cases in the Courts of justice of this State,

and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine—having passed the Assembly by the following vote: Yeas, 32; nays, 16.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 20th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Bill No. 8—entitled "An Act to transfer certain moneys from the Indigent Sick and Contingent Funds of Esmeralda County to the Redemption Fund of said county"—the same having this day passed the Assembly by the following vote: Yeas, 46; nays, none.

Also, Senate Concurrent Resolution No. 21—Relative to printing the Surveyor General's Report—the same having passed the Assembly this day by the following vote: Yeas, 44; nays, none.

Also, Senate Concurrent Resolution No. 22—Relative to printing the Report of the State Treasurer—the same having passed the Assembly unanimously.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 17th, 1873. }

To the honorable the Senate:

I am instructed to inform your honorable body that Messrs. Street, Drake, and Cole have been appointed, on the part of the House, as a committee to examine and report upon the compilation of law by Messrs. Bonnifield and Healy, to act with a like committee on part of the Senate, in accordance with Senate Concurrent Resolution No. 7.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 17th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Concurrent Resolution No. 7—In relation to Board of Regents—the same having this day passed the Assembly by the following vote: Yeas, 44; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

The following communication was received from the Secretary of State:

STATE OF NEVADA, OFFICE OF SECRETARY OF STATE,
CARSON CITY, January 20th, 1873. }

To the honorable the Senate:

I have the honor to transmit to your honorable body, a bill for expenses incurred in fitting up the Senate Chamber, for fireman and portage for the same, and for furniture for Senate committee rooms, as ordered by resolution of your honorable body.

Very respectfully,

J. D. MINOR,
Secretary of State.

Mr. Eastman moved that the communication and report from the Secretary of State be referred to the Committee on Claims.

Carried.

NOTICES.

By Mr. Clinton: That he will, on some future day, introduce a bill for an Act entitled An Act to repeal section two of an Act entitled "An Act requiring State officers to prepare and transmit to the Legislature duplicates of all reports intended for publication," approved February seventeenth, eighteen hundred and seventy-one.

By Mr. Varian: That he will, on some future day, introduce a bill for an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March ninth, eighteen hundred and sixty-five.

INTRODUCTION OF BILLS.

Assembly Bill No. 12—An Act to abolish the use of State revenue stamps, and to provide for the settlement of outstanding stamps.

Read first time.

Mr. Crawford moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Assembly Bill No. 9—An Act to amend "An Act to regulate proceeding in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto."

Read first time.

Mr. Phelan moved that the rules be suspended; the bill read the second time by title, and referred to the Judiciary Committee.

Carried

Assembly Bill No. 3—An Act to amend an Act entitled "An Act to create the office of State Printer."

Read first time

Mr. Eastman moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Assembly Concurrent Resolution No. 7—In relation to the election of a Board of Regents.

Roll called, and the resolution concurred in by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAYS—None.

Absent—2.

Mr. Phelan, on leave, introduced Senate Bill No. 42—An Act to exempt the property of the Miners' Union of the State of Nevada from taxation.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Mines and Mining.

Carried.

At 12 o'clock m., the President declared the time had arrived, according to the resolution adopted by the Senate, for the election of a United States Senator.

Per request, the Secretary of the Senate read the law of Congress, appertaining to the election of United States Senators.

Mr. Stevenson, of Storey County, placed in nomination John P. Jones, of Storey County.

Mr. McClinton, of Esmeralda County, seconded the nomination.

Mr. Cassidy, of Lander County, placed in nomination W. W. McCoy, of Lander County.

Mr. Cleveland, of White Pine County, placed in nomination Charles E. DeLong.

The roll was called, and the President announced the vote as follows:

For John P. Jones—Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Hazlett, Hobart, Lockwood, McClinton; Moore, Phelan, Small, Stevenson, Thompson, Varian, and Walter—16.

For W. W. McCoy—Messrs. Cassidy, Fox, Hill, Mills, McBeth, and Wilson—6.

For C. E. DeLong—Mr. Cleveland—1.

For Robert McBeth—Mr. McCoy—1.

Mr. Phelan moved to adjourn.

Carried.

So, at twelve o'clock and nineteen minutes p. m., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHARLES F. BICKNELL,

Secretary of the Senate.

IN SENATE—SEVENTEENTH DAY.

CARSON CITY, January 22d, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called.

Present—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Phelan—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

Mr. Stevenson asked leave of absence for Mr. Phelan for the day.

Granted.

The following communication was received from the Board of Directors of the State Orphans' Home:

OFFICE BOARD DIRECTORS STATE ORPHANS' HOME, }
January 22d, 1873. }

To the honorable the Senate:

GENTLEMEN: The Board of Directors of the State Orphans' Home present their compliments, and would respectfully tender to your honorable body an invitation to visit and inspect, at your own convenience, the institution over which they have had supervision for the past two years.

Respectfully,

JOHN DAY,
JERRY SCHOOLING,
W. W. HOBART,
Directors.

Attest: THEO. A. HALE, Secretary.

Mr. Hill moved that the communication be received.

Mr. Stevenson moved to amend by accepting the invitation.

Carried.

MOTIONS AND RESOLUTIONS.

By Mr. Stevenson:

Resolved, That W. D. Darnell be appointed Doorkeeper of the Senate and Clerk to Sergeant-at-Arms, at the per diem of six dollars per day, payable out of the Contingent Fund of the Senate.

Mr. Moore rose to a point of order, that the resolution was out of order, the Chair not having recognized the Senator offering it.

Ruled well taken.

By Mr. Moore:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to

appoint a Doorkeeper for the Senate, to hold office for the balance of the session, at a per diem not exceeding six dollars, payable out of the Contingent Fund of the Senate.

Mr. Moore moved the adoption of the resolution.

The yeas and nays were called on the question, by Messrs. Davenport, Fox, and Varian, resulting as follows:

YEAS—Messrs. Cassidy, Cleveland, Crawford, Eastman, Hazlett, Hill, McCoy, Moore, and Thompson—9.

NAYS—Messrs. Campbell, Clapp, Davenport, Fox, Hobart, McClinton, Mills, McBeth, Small, Stevenson, Varian, and Wilson—12.

Absent—3.

On the adoption of the resolution by Mr. Stevenson, the yeas and nays were called for by Messrs. Mills, McBeth, and Varian.

Mr. Cleveland moved to amend by inserting the name of Edward Keisle.

Ruled out of order.

Roll called on the passage of the resolution, and lost by the following vote:

YEAS—Messrs. Crawford, Hobart, and Lockwood—3.

NAYS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, McCoy, McClinton, Mills, Moore, McBeth, Small, Stevenson, Thompson, Varian, and Wilson—19.

Absent—Messrs. Phelan and Walter—2.

Mr. Stevenson gave notice that he would, on to-morrow, move a reconsideration of the vote whereby the above resolution was lost.

By Mr. Thompson: Senate Concurrent Resolution No. 47—Relative to the Central Pacific Railroad obtaining patents to lands.

Read first time.

Mr. Lockwood moved that the rules be suspended; the resolution read the second time by title, and referred to the Committee on State Affairs, and two hundred and forty copies ordered printed.

Carried.

By Mr. Stevenson:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby authorized to draw his warrant on the Contingent Fund of the Senate in favor of M. W. Starling, for four days services as clerk for the Committee on Standing Rules.

Adopted.

NOTICES.

By Mr. Cleveland: That he will, on some future day, introduce a bill for An Act entitled an Act in relation to marks and brands.

By Mr. Walter: That he will, on some future day, introduce a bill for An Act to define and establish the boundary line between the County of Nye and the Counties of Churchill and Esmeralda.

By Mr. Walter: That the Committee on Public Lands have appointed T. D. Edwards, clerk.

INTRODUCTION OF BILLS.

By Mr. McClinton: Senate Bill No. 48—An Act to repeal section two of an Act entitled "An Act requiring State officers to prepare duplicate copies of reports for publication," approved February seventeenth, eighteen hundred and seventy-one.

Read first time.

Mr. McClinton moved that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

Mr. Stevenson moved that the Senate take a recess until five minutes before twelve o'clock M.

Carried.

Senate met at eleven o'clock and fifty-five minutes A. M.

President in the chair.

Roll called.

Present—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, Small, Stevenson, Thompson, and Walter—18.

Absent—Messrs. Crawford, Lockwood, Moore, McBeth, Varian, and Wilson—6.

Mr. Mills moved a call of the House.

Carried.

Messrs. Lockwood, McBeth, and Wilson appearing at the bar of the Senate, were, on motion of Mr. Cleveland, excused.

Mr. Lockwood moved that further proceedings under the call be dispensed with.

Carried.

Messrs. Crawford and Savage, of the Assembly, being introduced to the Senate, reported that they had been appointed as a committee to notify the Senate that the Assembly was in session, and ready to receive the Senate in Joint Convention.

Whereupon, the Senate proceeded to the Assembly Chamber, where the President, Hon. Frank Denver, called the Convention to order.

The rolls of the Senate and Assembly were called, respectively, by the Secretary and Clerk of each House. All members present.

The President announced that the object for which they were assembled, was to declare the action of each House, had on the preceding day, in regard to the election of a United States Senator.

The Journal of each House, appertaining to the election of Senator, was then read by the Secretary of the Senate and Clerk of the Assembly, respectively.

And it appearing from the Journals of the two Houses that a majority of the votes of each House had been cast for John P. Jones, the President then declared John P. Jones duly elected United States Senator from the State of Nevada for the term of six years from the fourth of March next, to succeed the Hon. James W. Nye.

Mr. Lockwood offered the following resolution:

Resolved, That a committee of five—two from the Senate, and three from the Assembly—be appointed by the President and Speaker, to

wait upon the Hon. J. P. Jones, and inform him of his election to the office of United States Senator for the State of Nevada.

Adopted.

The President appointed as such committee, on the part of the Senate, Messrs. Lockwood and McCoy.

The Speaker of the Assembly appointed as such committee, on the part of the House, Messrs. Morrison, Sessions, and Crawford.

The committee appointed to wait upon the Hon. J. P. Jones, in accordance with the above resolution, presented that gentleman to the Joint Convention, who addressed them at length, after which the President declared the Convention adjourned *sine die*.

IN SENATE.

Roll called.

Present—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Phelan—1.

Mr. Stevenson moved to adjourn.

Carried.

So, at one o'clock and four minutes, the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—EIGHTEENTH DAY.

CARSON CITY, January 23d, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Absent—None.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Committee on Claims, to which was referred the claims of the State Treasurer and State Librarian, for copying official

reports, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the accompanying resolution, directing the payment of the same.

Resolved, That the following amounts be and the same are hereby ordered paid out of the Contingent Fund of the Senate, to wit:

Jerry Schooling, for copying Report of the State Treasurer.....	\$105 00
W. H. Minor, for copying Report of the State Librarian.....	7 50
Total	\$112 50

PHELAN, Chairman.

Resolution adopted.

MR. PRESIDENT: Your Standing Committee on Elections, to which was referred the subject matter of the contested seats of the Senators from White Pine County, submit the following minority report:

In the opinion of the minority of the Committee on Elections, there are some things in the report and the opinion of Judge Mesick, that are entirely inconsistent with the intent and spirit of our Constitution. There is no doubt the framers of our Constitution intended that one half of the Senators should be elected every two years. In the debate in the Constitutional Convention—Article IV, Section 4—to which Section 10, Article XVII of the schedule refers, and also to Article IV, Section 6, the debates clearly show that the intention was to leave the power entirely with the Legislature. The theory of our Constitution is in accordance with the Constitution of the United States, which prescribes Senators shall be allotted in long and short terms, although the term of United States Senator is fixed at six years. And it seems to me that the section on which the majority of the committee rely was made the subject of much attention by the Convention.

Mr. Dunne, one of the members of the Constitutional Convention, said that this section had received a great deal of consideration in the committee. And when the question came up again on Section 10 of the schedule, it was suggested to take from the Legislature the power to allot its own members, by inserting the words "by law," so that the Legislature should provide by law for the drawing; and the objections argued show clearly that the framers of the Constitution intended to leave the matter entirely with each House of the Legislature to judge of the qualifications of its own members, and to provide for the allotment of Senators in long and short terms, and that the Senate might by resolution proceed to draw lots, in conformity with the law passed by the Legislature in eighteen hundred and sixty-four and eighteen hundred and sixty-five, and the minority believe that the Senate have power, and it is clearly their duty, to allot the Senators from White Pine County in long and short terms.

That the Senate have the power to admit a member elected before any vacancy has been declared, they have a precedent in the case of Senator Carpenter, of Lyon County. (Journal, 1869, pp. 10, 11.) The committee in their report recommended the seat of Mr. Carpenter be declared

vacant, and that Mr. M. S. Hurd be recognized as the Senator from Lyon County. This case was similar, inasmuch that no call was made for the election of a Senator by the County Commissioners of Lyon County, and a short time before the election the County Central Committee placed Mr. Hurd's name upon the ticket and he was elected.

The failure of the last Legislature to make the allotment should not bar the people of White Pine County from the election and representation of a Senator fresh from the people every two years. The law creating White Pine County is similar to the law creating Elko County, passed at the same session. There is nothing in either concerning long or short terms of Senators.

Your minority find: First, that the Senate has the power to declare a vacancy in one of the Senators from White Pine County, and that they have the power to admit Mr. Wagner, as in the case of Carpenter and Hurd—that the Senate has the power over its own members, as there expressed.

C. C. STEVENSON.

Mr. Lockwood moved that the special order concerning White Pine Senators be made the special order for Monday next, at twelve o'clock m.

Mr. Hill moved to lay the minority report of the Committee on Elections temporarily on the table.

Lost.

On Mr. Lockwood's motion the yeas and nays were called for by Messrs. Lockwood, Davenport, and Stevenson, and the motion lost, by the following vote:

YEAS—Messrs. Crawford, Davenport, Hill, Hobart, Lockwood, Small, and Stevenson—7.

NAYS—Messrs. Campbell, Cassidy, Clapp, Eastman, Fox, Hazlett, McCoy, McClinton, Moore, McBeth, Phelan, Thompson, Varian, Walter, and Wilson—15.

Not voting—Messrs. Cleveland and Mills—2.

MOTIONS AND RESOLUTIONS.

By Mr. Walter: Senate Memorial and Joint Resolution No. 49—Relative to extending the Government survey over the public lands in the State of Nevada.

Read first time.

Mr. Varian moved that the rules be suspended; the resolution read the second time by title, and referred to the Committee on Public Lands.

Carried.

By Mr. Lockwood: Senate Concurrent Resolution No. 50—Relative to printing proceedings of Joint Convention.

Roll called on the adoption of the above resolution, resulting as follows:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Hazlett, Hobart, Lockwood, McCoy, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—19.

NAYS—Messrs. Eastman, Fox, Hill, Moore, and Varian—5.

By Mr. Thompson:

Resolved, That the Chairmen of the different committees be requested to give notice of the meeting of their committees and the bills to be considered.

Lost.

Mr. Varian moved to take a recess until one o'clock P. M.

Carried.

Senate met at one o'clock P. M.

President in the chair.

Roll called, and the following Senators present:

Messrs. Campbell, Clapp, Cleveland, Crawford, Eastman, Fox, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—20.

Absent—Messrs. Cassidy, Davenport, Hazlett, and Varian—4.

Special order, concerning the contested seats of members from White Pine County.

By Mr. Stevenson:

WHEREAS, By Act of the Legislature, passed at the fourth session thereof, a representation of two (2) Senators was given to the County of White Pine; and, whereas, the Hon. A. C. Cleveland and the Hon. G. F. Mills were, at the general election held in eighteen hundred and seventy, elected to fill the offices of Senators from White Pine County; and, whereas, only one of said Senators is now entitled to a seat in this House, in consequence of the expiration of the term of a Senator from White Pine County on the day succeeding the general election held in eighteen hundred and seventy-two; therefore, be it

Resolved, That said A. C. Cleveland and said G. F. Mills now determine by lot, in such manner as they may agree or as the Senate may prescribe, which of them is entitled to hold the office of Senator from White Pine County until the day succeeding the general election to be held in the year eighteen hundred and seventy-four.

Mr. Moore moved a call of the House.

Carried.

Roll called.

Present—Messrs. Campbell, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Stevenson, Thompson, Walter, and Wilson—20.

Absent—Messrs. Cassidy, Davenport, Small, and Varian—4.

Mr. Davenport appearing at the bar of the Senate, was, on motion of Mr. Stevenson, excused.

Mr. Cassidy appearing at the bar of the Senate was, on motion of Mr. McClinton, excused.

Mr. Small appearing at the bar of the Senate, was, on motion of Mr. Eastman, excused, on giving the reason for his absence.

Mr. Varian appearing at the bar of the Senate, was, on motion of Mr. Moore, admitted to his seat, on giving reason for his absence.

Mr. Stevenson moved that further proceedings under the call be dispensed with.

Carried.

Mr. Lockwood moved that both parties interested in the contested seats be allowed one attorney on the floor.

Carried.

Mr. Moore moved that the Secretary be requested to read, for information, the whole subject matter in relation to contested seats.

Mr. Moore moved that the further consideration of the whole subject matter be indefinitely postponed.

Withdrawn.

Mr. Stevenson moved the adoption of the resolution offered by him.

Thomas H. Williams, Esq., announced himself as counsel for Mr. Wagner.

Mr. Cleveland announced that R. M. Clark, Esq., would appear as the attorney for Senator Mills and himself.

Mr. Lockwood moved that counsel for contestants be allowed to introduce testimony in relation to the election of Senators from White Pine County in the year eighteen hundred and seventy.

Mr. Mills offered the following amendment: That the Senate now proceed to examine Messrs. Cole and Grey in reference to the nomination of Senators in White Pine County in eighteen hundred and seventy.

Carried.

The question now being on the motion of Mr. Lockwood, it was, on motion, carried.

Messrs. Grey, Cole, Lewis, Sullivan, Cleveland, Mills, and Wagner were duly sworn by the President, and testified in the matter at issue.

General Thomas H. Williams addressed the Senate at length, quoting constitutional and statutory law in proof of the right of Mr. Wagner to take his seat as a Senator in this body.

Mr. Eastman moved that the Senate take a recess until seven o'clock P. M.

Carried.

So, at three o'clock and fifty minutes, the Senate took a recess until seven o'clock P. M.

IN SENATE.

The Senate met at seven o'clock P. M.

The President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Small—1.

Mr. Grey, by permission of the Senate, offered some explanations relative to the testimony given by him in the contested seat matter.

Mr. Moore moved a call of the House.

Carried.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton,

Mills, Moore, McBeth, Phelan, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Small—1.

Mr. Small appearing, was excused by the Senate, and took his seat.

On motion, further proceedings under the call were dispensed with.

General R. M. Clark, counsel for the sitting members from White Pine County, addressed the Senate at length in behalf of his clients.

General Thomas H. Williams, counsel for contestant, asked as a favor that the further argument of the case be continued until to-morrow.

Mr. Varian moved to adjourn.

The yeas and nays being demanded, the roll was called on the motion to adjourn, as follows:

YEAS—Messrs. Campbell, Clapp, Davenport, Hill, Hobart, Lockwood, McCoy, McClinton, Small, Stevenson, Varian, and Walter—12.

NAYS—Messrs. Cassidy, Cleveland, Crawford, Eastman, Fox, Hazlett, Mills, Moore, McBeth, Phelan, and Thompson—11.

So, at nine o'clock and twenty minutes, the Senate adjourned.

Approved: FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

IN SENATE—NINETEENTH DAY.

CARSON CITY, January 24th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Absent—None.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

The President stated that the special order relative to the contested seats of the Senators from White Pine County, was now in order.

Mr. Eastman rose to a point of order, that the regular business of the day was first in order.

Ruled not well taken.

Special order declared to be the business before the Senate.

Gen. Thos. H. Williams, counsel for contestant, addressed the Senate at length.

Mr. McBeth moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President in the chair.

Roll called.

Present—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Absent—None.

The matter of the contested seats of the Senators being still pending, Gen. R. M. Clarke, counsel for Messrs. Cleveland and Mills, proceeded to address the Senate, to which Gen. T. H. Williams, counsel for contestants, replied.

Mr. Moore rose to a point of order: whether the rules of the Senate would not apply to counsel, as they had each spoken twice on the question, and therefore should not speak again.

Ruled not well taken.

Mr. Cassidy moved that Gen. Williams be allowed to proceed further in the discussion of the question before the Senate.

Carried.

Mr. Cassidy moved that the Senator from White Pine first named on the roll, have the right to vote on the question of the contested seats of members from that county.

Mr. Davenport rose to a point of order, and quoted in support of his position, as follows: "Standing Rule Fifty-eight. No member shall vote on any question in the result of which he is personally interested or involved."

Ruled not well taken.

Mr. Stevenson appealed from the decision of the Chair.

The question being "Shall the decision of the Chair stand as the decision of the Senate?" the yeas and nays were called for by Messrs. Cleveland, Mills, and Moore, and the decision of the Chair sustained by the following vote:

YEAS—Messrs. Campbell, Cassiday, Crawford, Eastman, Fox, Hazlett, Hill, McCoy, Moore, McBeth, Phelan, Thompson, Walter, and Wilson—14.

NAYS—Messrs. Clapp, Davenport, Hobart, Small, Stevenson, and Varian—6.

Absent—Messrs. Lockwood and McClinton—2.

Not voting—Messrs. Cleveland and Mills—2.

Mr. McClinton moved to amend the motion of Mr. Cassidy, that the two Senators from White Pine should cast one vote jointly.

No objection being made, the amendment was accepted by Mr. Cassidy.

Mr. Davenport moved to amend by allowing Mr. Wagner to vote.

Mr. Mills rose to a point of order, that no member not sitting on the floor of the Senate should be allowed a vote.

Ruled well taken.

Mr. Varian rose to a question of privilege: That he had been reported in the newspapers as objecting to the Senators whose seats were in controversy speaking in their own behalf. This was incorrect; he objected to the Senators sitting in judgment on their own case, by moving or voting propositions having any bearing upon the final issue.

On the motion of Mr. Cassidy, the yeas and nays were called for by Messrs. Davenport, Small, and Cassidy, and the motion carried by the following vote:

YEAS—Messrs. Campbell, Cassidy, Crawford, Eastman, Fox, Hazlett, Hill, McCoy, McClinton, Moore, McBeth, Phelan, Thompson, Walter, and Wilson—15.

NAYS—Messrs. Clapp, Davenport, Hobart, Lockwood, Small, Stevenson, and Varian—7.

Not voting—Messrs. Cleveland and Mills—2.

The question being on the adoption of the resolution offered by Mr. Stevenson, Mr. Moore requested the Secretary to read the resolution; which being done, the yeas and nays were called for by Messrs. McBeth, Stevenson, and Lockwood, and the resolution lost by the following vote:

YEAS—Messrs. Campbell, Clapp, Davenport, Hill, Hobart, Lockwood, Small, Stevenson, Varian, and Walter—10.

NAYS—Messrs. Cassidy, Cleveland, Crawford, Eastman, Fox, Hazlett, McCoy, McClinton, Moore, McBeth, Phelan, Thompson, and Wilson—13.

By Mr. Moore:

Resolved, That all further proceedings in the White Pine contested election case now pending, be indefinitely postponed.

Adopted.

Mr. Cassidy moved that the Senate do now adjourn.

Lost.

Mr. Mills moved that the Senate adjourn until Monday, at eleven o'clock A. M.

Carried.

So, at three o'clock and thirty-five minutes P. M., the Senate adjourned until Monday, at eleven o'clock A. M.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—TWENTY-SECOND DAY.

CARSON CITY, January 27th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hill, Hobart, Lockwood, McCoy, McClinton, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

Absent—Messrs. Hazlett, Mills, and Moore—3.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of Friday read and approved.

Mr. Crawford asked indefinite leave of absence for Mr. Moore.

Leave granted.

Mr. Cleveland asked indefinite leave of absence for Mr. Mills.

Leave granted.

PETITIONS.

By Mr. Phelan: Remonstrance of the Fire Department of Virginia and Gold Hill against the passage of Senate Bill No. 39, concerning juries.

Placed on File.

The following communication was received from Sister Frederica, of the Nevada Orphan Asylum:

NEVADA ORPHAN ASYLUM,
VIRGINIA CITY, January 24th, 1873. }

HON. F. DENVER, *President of the Senate:*

DEAR SIR: Permit me to extend, through you, to the honorable the Senate, an invitation to your honorable body to visit the Nevada Orphan Asylum, under our charge.

Very respectfully,

SISTER M. FREDERICA.

Mr. Cassidy moved that the invitation be accepted.

Carried.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Committee on Public Lands, to which was referred Memorial and Joint Resolution—Relative to extending the Government survey over the public lands in the State of Nevada—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend its passage.

Also, Senate Concurrent Resolution No. 36—Relative to public lands in the State of Nevada—report that they have had the same under consideration, have come to an unfavorable conclusion thereon, and have directed their Chairman to report a substitute, and recommend that it do pass.

WALTER, Chairman.

Mr. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 3—entitled An Act to amend an Act entitled "An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," approved January tenth, eighteen hundred and sixty-five—report that they have had the same under consideration, and have drafted a substitute therefor, and have directed their Chairman to report the same to the Senate, and recommend the passage of the same.

W. W. McCOY, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. McClinton: Senate Concurrent Resolution No. 51—Relative to leave of absence for W. H. Hall, County Treasurer of Esmeralda County, and M. A. Murphy, District Attorney therefor.

Roll called on the passage of the resolution, which was adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAYS—None.

Absent—4.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 23d, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Concurrent Resolution No. 50—Relative to printing proceedings of Joint Convention—the same having passed the Assembly by the following vote: Yeas, 43; nays, 2.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 23d, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Concurrent Resolution No. 40—Relative to granting leave of absence to H. J. Bidleman, County Recorder of Lander County—the same having passed the Assembly by the following vote: Yeas, 43; nays, none.

Also, Senate Concurrent Resolution No. 41—Relative to granting leave of absence to W. S. Travis, Sheriff of Lincoln County—having passed the Assembly by the following vote: Yeas, 43; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 23d, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Concurrent Resolution No. 9—Relative to printing the speech of the Hon. J. P. Jones.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 22d, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 13—entitled "An Act to remove the county seat of Humboldt County"—the same having passed the Assembly by the following vote: Yeas, 45; nays, 1.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

NOTICE.

By Mr. Stevenson: That he will, on some future day, introduce a bill for An Act concerning records in the custody of County Recorders of this State.

INTRODUCTION OF BILLS.

By Mr. Walter, according to previous notice: Senate Bill No. 52—An Act to define and establish the boundary line between the County of Nye and the Counties of Churchill and Esmeralda.

Read first time.

Mr. Walter moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Counties and County Boundaries.

Mr. Hill moved to amend by referring to the delegations from Nye, Esmeralda, and Churchill Counties.

Carried.

Mr. Phelan, according to previous notice, introduced Senate Bill No. 53—An Act to protect miners.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the bill be read the second time by title, and referred to the Committee on Mines and Mining.

Carried.

Mr. Phelan, according to previous notice, introduced Senate Bill No. 54—An Act to define the duties and limitation of pawnbrokers.

Mr. Phelan moved that the reading had be considered the first reading

of the bill; that the bill be read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Walter introduced Senate Joint Resolution No. 49—Relative to extending the Government survey over the public lands in the State of Nevada.

Read first time.

Mr. Walter moved that the resolution be ordered engrossed.

Carried.

Substitute for Senate Joint Resolution No. 36—Relative to public lands in the State of Nevada.

Read first time.

Mr. Stevenson moved that the rules be suspended; the resolution read the second time by title, and referred to the Committee on Education.

Carried.

The following communication was received from his Excellency the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, January 27th, 1873. }

To the honorable the Senate of Nevada:

I have the honor to transmit herewith the Report of the State Mineralogist for the years eighteen hundred and seventy-one and eighteen hundred and seventy-two.

L. R. BRADLEY.

Assembly Bill No. 13—"An Act to remove the county seat of Humboldt County."

Read first time.

Mr. Varian moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Counties and County Boundaries.

Mr. McBeth moved to amend by referring to the delegation from Humboldt.

Lost.

The question recurring on the motion of Mr. Varian, to refer to Committee on Counties and County Boundaries, was carried.

Assembly Concurrent Resolution No. 9—Relative to printing two thousand copies of the address of Hon. John P. Jones.

Mr. Cassidy moved that action on the resolution be indefinitely postponed.

Carried.

Senate Substitute for Assembly Bill No. 3—An Act to amend an Act entitled "An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," approved January tenth, eighteen hundred and sixty-five.

Read first time.

Mr. Eastman moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on State Affairs.

Carried.

GENERAL FILE.

Senate Bill No: 15—An Act to amend an Act entitled "An Act to pro-

vide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven," approved March third, eighteen hundred and sixty-nine.

Mr. Walter moved that the bill be placed at the foot of the File.

Carried.

Senate Bill No. 27—An Act to exempt from taxation the property of the Improved Order of Red Men.

On motion, the bill was placed at the foot of the File.

Senate Bill No. 19—An Act entitled "An Act in relation to public highways."

Read third time.

Mr. McBeth moved that the bill be referred to a committee of one, with instructions to insert in section seven, after the word "Supervisor," "while actually engaged in work or superintending work on the road, and fifteen per cent. for collecting road tax, on all sums collected."

Carried.

The President appointed Senator McBeth as such committee.

Mr. McBeth, special committee of one, reported the bill amended, as per instructions of the Senate.

Mr. McClinton moved to refer the bill to a special committee of one, with instructions to add to section five the words "or funds of the township comprising such road district."

Carried.

The President appointed Mr. McClinton as such committee.

Mr. McClinton, as special committee of one, reported the bill amended as per instructions of the Senate.

Mr. McClinton moved that the bill be referred to a special committee of one, with instructions to strike out the words, in section one, eighth line, after the word "districts," the words "if the same has," and in line ninth, the words "not been done already."

Carried.

The President appointed Mr. McClinton as such committee.

Mr. McClinton, as special committee appointed to strike out, reported the bill amended as per instructions of the Senate.

Report adopted.

Mr. Lockwood moved to suspend the rules, and re-refer the bill to Committee of the Whole.

Carried.

Mr. Phelan moved that the Senate take a recess until two o'clock P.M.

Carried.

IN SENATE.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

Absent—Messrs. Mills and Moore—2.

Mr. Cassidy moved that the Senate go into Committee of the Whole, for the consideration of the General File.

Carried.

President pro tem. in the chair.

In time, the committee rose, and made the following report:

Mr. PRESIDENT: The Committee of the Whole have had under consideration Senate Bill No. 14, to which certain amendments have been made; and the committee recommend that it be re-referred to the Judiciary Committee.

Also, Substitute for Senate Bill No. 24, which the committee recommend be engrossed, and that it do pass.

Also, Senate Bill No. 35, which the committee recommend be engrossed.

Also, Senate Bill No. 18, which they recommend be re-referred to the Committee on Judiciary.

Also, Senate Bill No. 31, to which the committee have made certain amendments, and recommend that it be ordered engrossed.

Mr. Varian moved that the report of the Committee of the Whole be adopted.

Mr. Eastman moved, as an amendment, that the Senate do now take up the report of the Committee of the Whole, for action.

Mr. Davenport moved, as a substitute, that the Senate receive the report of the Committee of the Whole.

Mr. Cassidy moved to adjourn.

Carried.

So, at four o'clock and five minutes P. M., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—TWENTY-THIRD DAY.

CARSON CITY, January 28th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton,

Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

Absent, on leave—Messrs. Mills and Moore—2.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Claims, to which was referred the claim of H. R. Whitehill, for copying reports of the State Mineralogist, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the accompanying resolution directing the payment of the same.

Resolved, That the sum of one hundred and twelve and fifty-one one hundredths (\$112 50) dollars be ordered paid out of the Senate Contingent Fund to H. R. Whitehill, for duplicate copy of Report of State Mineralogist.

Mr. Phelan moved the adoption of the resolution.

Carried.

Mr. PRESIDENT: Your Committee on Public Lands, to which was referred Senate Concurrent Resolution No. 37—Relative to saline lands in the State of Nevada—respectfully report that they have had the same under consideration, and offer a substitute therefor, and have directed their Chairman to report the same to the Senate, and recommend that it do pass.

“Substitute for Senate Concurrent Resolution No. 37—Relative to saline lands in the State of Nevada.”

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Joint Resolution No. 49—Relative to extending the Government survey over the public land in the State of Nevada—with the original copy thereof, and find it correctly engrossed.

T. S. DAVENPORT,
ROBT. MCBETH,
Committee.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 8—An Act to transfer certain moneys from the Indigent Sick Fund of Esmeralda County to the Redemption Fund of said county—has been carefully compared with the engrossed bill, found correctly enrolled, and has this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Clapp:

Resolved, That the Senate proceed to elect a clerk to the Sergeant-at-

Arms, who shall act as doorkeeper of the Senate, at a per diem of eight dollars, payable out of the Contingent Fund.

Mr. Clapp moved the adoption of the resolution.

Mr. Stevenson moved that the whole subject matter relative to clerk to Sergeant-at-Arms and doorkeeper be indefinitely postponed.

On which the yeas and nays were called for by Messrs. Cleveland, Wilson, and Fox, resulting as follows:

YEAS—Messrs. Campbell, Davenport, Eastman, Fox, Hobart, McClinton, and Small—7.

NAYS—Messrs. Cassidy, Clapp, Cleveland, Crawford, Hazlett, Hill, Lockwood, McCoy, McBeth, Phelan, Stevenson, Thompson, Varian, Walter, and Wilson—15.

Mr. Stevenson gave notice that he would, on to-morrow, move a reconsideration of the vote whereby the above motion was lost.

By Mr. McBeth:

Resolved, That the Committee on Mines and Mining and Committee on Counties and County Boundaries be jointly allowed a clerk.

Mr. Phelan moved the adoption of the resolution.

On which the roll was called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, McBeth, Phelan, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAYS—Messrs. Davenport and Small—2.

Mr. Phelan introduced Senate Memorial and Joint Resolution No. 57—Relative to coal lands in the State of Nevada.

Read first time.

Mr. Phelan moved that the rules be suspended; the resolution read second time by title, and referred to the Committee on Public Lands, and two hundred and forty copies ordered printed.

Carried.

Mr. Cassidy introduced Senate Concurrent Resolution No. 58—Relative to postal telegraph.

Read first time.

Mr. Cassidy moved that the rules be suspended; the resolution read the second time by title, and referred to the Committee on Federal Relations, and two hundred and forty copies ordered printed.

Carried.

Mr. Walter moved to reconsider the vote whereby Senate Concurrent Resolution No. 21—Relative to the Report of the Surveyor General—was passed.

Carried.

Mr. Walter moved that the resolution under consideration be indefinitely postponed.

Withdrawn.

Mr. Crawford moved that the resolution be laid temporarily on the table.

Carried.

JOURNAL OF THE SENATE,

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 27th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Bill No. 10—entitled “An Act to regulate and tax foreign insurance companies doing business in this State”—the same having this day passed the Assembly by the following vote: Yeas, 38; nays, 6.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 27th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 25—entitled “An Act to authorize the County Commissioners of Douglas County to levy a tax for building purposes”—the same having passed the Assembly by the following vote: Yeas, 42; nays, none.

Also, return to your honorable body, Senate Bill No. 9—entitled An Act to amend an Act entitled “An Act to create the County of Elko, and provide for the organization thereof,” approved March fifth, eighteen hundred and sixty-nine—the same having passed the Assembly by the following vote: Yeas, 36; nays, 6.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 27th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Concurrent Resolution No. 11—Relative to the insane of the State of Nevada.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 27th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 8—entitled “An Act to protect the

wages of labor"—the same having passed the Assembly by the following vote: Yeas, 35; nays, 8.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

NOTICES.

By Mr. Cleveland: That he will, on some future day, introduce a bill for An Act in relation to pardons.

Also, a bill for An Act to establish the southern boundary of White Pine County.

Also, a bill for An Act to repeal an Act to encourage the construction of a railroad in the eastern portion of the State of Nevada, approved February twenty-first, eighteen hundred and seventy-one.

INTRODUCTION OF BILLS.

By Mr. Walter, in accordance with previous notice: Senate Bill No. 62—An Act to amend an Act entitled "An Act to authorize the State Treasurer to employ a clerk, and fixing his compensation, approved March ninth, eighteen hundred and sixty-five;" approved March first, eighteen hundred and sixty-six.

Read first time.

Mr. Walter moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Phelan, by leave, without previous notice, introduced Senate Bill No. 60—An Act to amend an Act entitled "An Act to provide for the outstanding indebtedness of Virginia City, Storey County," approved January twenty-seventh, eighteen hundred and sixty-five.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Storey County delegation.

Carried.

Mr. Hazlett, according to previous notice, introduced Senate Bill No. 61—An Act to allow convicts to testify as witnesses in prosecutions for felonies against other convicts.

Read first time.

Mr. Hazlett moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Stevenson, in accordance with previous notice, introduced Senate Bill No. 72—An Act concerning records now in the custody of the County Recorders of this State.

Read first time.

Mr. Stevenson moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Substitute for Senate Concurrent Resolution No. 37—Relative to saline lands in the State of Nevada.

Read first time.

On motion, the rules were suspended; resolution read the second time by title, and referred to the Committee on Federal Relations.

Assembly Bill No. 25—An Act to authorize the County Commissioners of Douglas County to levy a tax for building purposes.

Read first time; rules suspended; read the second time by title, and referred to Douglas County delegation.

Assembly Concurrent Resolution No. 11—Relative to the insane of the State of Nevada.

Read first time.

Mr. Lockwood moved that the rules be suspended; the resolution read the second time by title, and referred to the Committee on State Affairs.

Ruled out of order.

Mr. McClinton moved that the resolution be made the special order for to-morrow, at twelve o'clock M.

Carried.

Mr. Varian moved to adjourn.

Carried.

So, at twelve o'clock and twenty-eight minutes, the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—TWENTY-FOURTH DAY.

CARSON CITY, January 29th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, McBeth, Phelan, Small, Stevenson, Varian, Walter, and Wilson—21.

Absent—Mr. Thompson—1.

Absent on leave—Messrs. Mills and Moore—2.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

Mr. Eastman asked leave of absence for Mr. Thompson for the day.

Leave granted.

President pro tem. in the chair.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Education, to which was referred Substitute for Senate Joint Resolution No. 36—Relative to school lands—report that they have had the same under consideration,

have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend its passage.

STEVENSON, Chairman.

Mr. PRESIDENT: Your Standing Committee on Supplies and Expenditures, have had under consideration certain bills against the Sergeant-at-Arms of the Senate, as follows:

Bill of E. B. Rail, in the sum of forty-one dollars and twenty-five cents	\$41 25
Bill of W. H. Burrall, three dollars	3 00
Bill of C. H. Maish, six dollars	6 00

Your committee have examined the merits of the above bills and found them correct; recommend their payment, and report a resolution covering the same.

C. H. EASTMAN, Chairman.

Resolved, That the Sergeant-at-Arms is hereby directed to draw his check, to be paid from the Contingent Fund of the Senate, in favor of the following named persons, to wit:

E. B. Rail, in the sum of forty-one dollars and twenty-five cents.	\$41 25
W. H. Burrall, in the sum of three dollars	3 00
C. H. Maish, in the sum of six dollars	6 00

Mr. Eastman moved that the resolution be adopted.
Carried.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Concurrent Resolution No. 22—Relative to printing the Report of the State Treasurer;

Also, Senate Concurrent Resolution No. 40—Relative to granting leave of absence to H. J. Bidleman, County Recorder of Lander County;

Also, Senate Concurrent Resolution No. 41—Relative to granting leave of absence to W. S. Travis, Sheriff of Lincoln County;

Also, Senate Concurrent Resolution No. 50—Relative to printing the proceedings of Joint Convention;

Have been carefully compared with the engrossed resolutions, found correctly enrolled, and have been this day deposited with the Secretary of State.

A. J. LOCKWOOD, Chairman.

Mr. PRESIDENT: Your Standing Committee on the Judiciary, to which was referred Senate Bill No. 26—entitled "An Act providing for the government of the cities and towns of this State"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to

the Senate, with the recommendation that it be referred to the Committee of the Whole.

W. W. McCOY, Chairman.

Mr. PRESIDENT: Your Standing Committee on the Judiciary, to which was referred Senate Bill No. 16—entitled An Act to amend an Act entitled "An Act defining the duties of the Attorney General of the State of Nevada"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with amendments, and recommend its passage as amended.

W. W. McCOY, Chairman.

Mr. Stevenson moved the resolution relative to electing a doorkeeper and clerk to the Sergeant-at-Arms, be now taken up.

Mr. Eastman moved that the whole subject matter be indefinitely postponed.

The yeas and nays were called for by Messrs. Stevenson, Small, and Davenport on the question, resulting as follows:

YEAS—Messrs. Campbell, Davenport, Eastman, Fox, Hobart, Lockwood, McCoy, McClinton, Small, Stevenson, and Varian—11.

NAYS—Messrs. Cassidy, Clapp, Cleveland, Crawford, Hazlett, Hill, McBeth, Phelan, Walter, and Wilson—10.

MOTIONS AND RESOLUTIONS.

By Mr. McClinton: Senate Concurrent Resolution No. 65—Relative to empowering the Joint Committee on Compilation of the Statutes to employ a clerk.

Mr. Phelan moved the adoption of the resolution.

Roll called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, McBeth, Phelan, Small, Stevenson, Walter, and Wilson—20.

NAYS—None.

NOTICES.

Mr. McBeth, from Committee on Counties and County Boundaries, and Mines and Mining, gave notice that said committees had appointed W. H. Minor as clerk.

By Mr. Walter: That he will, on some future day, introduce a bill for An Act for the removal of the State Prison, and for other purposes.

INTRODUCTION OF BILLS.

Assembly Bill No. 8—An Act to protect the wages of labor.

Mr. Phelan moved that the reading had be considered the first reading; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Phelan, in accordance with previous notice, introduced Senate Bill

No. 67—An Act to provide for the removal of Lefever and Gates, insane convicts, from the State Prison to the Insane Asylum.

Read first time.

Mr. Phelan moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on State Prison.

Carried.

Mr. Hazlett, in accordance with previous notice, introduced Senate Bill No. 68—An Act making appropriations for the support of the civil government of the State of Nevada, for the ninth and tenth fiscal years.

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole, and two hundred and forty copies ordered printed.

Carried.

GENERAL FILE.

Memorial and Joint Resolution No. 49—Relative to extending the government surveys over the public land in the State of Nevada.

Roll called, and the resolution adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Small, Stevenson, Walter, and Wilson—17.

NAYS—None.

Senate Bill No. 28—An Act fixing the salary of the District Attorney of Churchill County.

Mr. Hill moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 27—An Act to exempt from taxation the property of the Improved Order of Red Men.

Mr. McBeth moved that the bill be placed at the foot of the File.

Carried.

Senate Bill No. 15—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five," approved March tenth, eighteen hundred and sixty-seven, approved March third, eighteen hundred and sixty-nine.

Mr. Walter moved that the bill be referred to a special committee of one, with instructions to insert "Nye County."

Carried.

The President appointed Mr. Walter as such committee.

Mr. Walter, as special committee, reported the bill amended as per instructions.

Mr. Wilson moved that the bill be referred to a special committee, with instructions to strike out "two thousand four hundred dollars" and insert "one thousand eight hundred dollars," after eighteen hundred and seventy-five.

Carried.

The President appointed Mr. Wilson as such committee.

Mr. Wilson, as special committee, reported the bill amended as per instructions.

Mr. Hill moved that the bill be referred to a special committee of one, with instructions to strike out the words "after the first day of January; eighteen hundred and seventy-five."

Carried.

The President appointed Mr. Hill as such committee.

Mr. Hill, as special committee, reported the bill amended as per instructions.

Mr. Varian moved to refer the bill to a committee of one, with instructions to strike out the words "twelve hundred," after "Humboldt County," and insert "one thousand."

Carried.

The Chair appointed Mr. Varian as such committee.

Mr. Varian, as special committee, reported the bill amended as per instructions.

Mr. McClinton moved that the bill be referred to a special committee of one, with instructions to strike out the words "one thousand," after "Esmeralda County," and insert "eight hundred."

Carried.

The President appointed Mr. McClinton as such committee.

Mr. McClinton, as special committee, reported the bill amended as per instructions.

Mr. Varian moved that the bill be referred to a special committee of one, with instructions to insert, as regards Humboldt County, "to take effect from and after January first, eighteen hundred and seventy-five."

Carried.

The President appointed Mr. Varian as such committee.

Mr. Varian, as special committee, reported the bill amended as per instructions.

Mr. Stevenson moved that the bill be ordered engrossed.

Carried.

Mr. Stevenson moved to take a recess until two o'clock p. m.

Carried.

Senate met at two o'clock p. m.

The President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hill, Hobart, Lockwood, McCoy, McClinton, McBeth, Phelan, Small, Stevenson, Varian, Walter, and Wilson.

Absent—Mr. Hazlett.

Mr. McCoy moved that the special order for this day be postponed until to-morrow, at twelve o'clock m.

Carried.

GENERAL FILE RESUMED.

Senate Memorial and Joint Resolution No. 49—Relative to extending the Government surveys over the public lands of the State of Nevada.

Mr. Walter moved that the resolution be ordered engrossed.

Carried.

Senate Bill No. 16—An Act to amend an Act entitled "An Act defining the duties of the Attorney General of the State of Nevada," approved March eleventh, eighteen hundred and sixty-seven.

Mr. McCoy moved that the bill be placed at the foot of the File.

Carried.

Mr. Cassidy moved that so much of the report of the Committee of the Whole as relates to Senate Bill No. 14 be adopted.

Mr. McCoy, by leave, offered the following report:

Mr. PRESIDENT: Your Standing Committee on Judiciary, to which was referred Senate Bill No. 14—entitled "An Act to create the County of Eureka and provide for its organization"—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate with the accompanying substitute for section four of said Act, and recommend the passage of the substitute section.

W. W. McCOY, Chairman.

Mr. Varian moved the adoption of the substitute section.

Carried.

By request, the Secretary read the previous amendment to the bill.

Mr. Cassidy moved the adoption of the amendment as read.

Carried.

Senate Bill No. 14.

Roll called on the final passage of the bill, resulting as follows:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Phelan, Stevenson, Varian, Walter, and Wilson—18.

NAYS—Messrs. Cleveland, McBeth, and Small—3.

Substitute for Senate Bill No. 24—An Act concerning the official bonds of Justices of the Peace.

On motion, the bill was ordered engrossed.

Senate Bill No. 35—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act in relation to common jails and the prisoners thereof,' approved November twenty-fifth, eighteen hundred and sixty-one;" approved March third, eighteen hundred and sixty-six.

Mr. Eastman moved that the amendment proposed in Committee of the Whole, in reference to the bill, be adopted.

Carried.

Mr. McBeth moved that the bill be engrossed.

Carried.

Senate Bill No. 18—An Act to amend "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

Mr. Cassidy moved that the Senate adopt the recommendation of the Committee of the Whole in relation to Senate Bill No. 18.

Carried.

Senate Bill No. 31—An Act to amend an Act entitled "An Act concerning District Attorneys," approved March eleventh, eighteen hundred and sixty-five; approved February twenty-sixth, eighteen hundred and sixty-six; approved March eleventh, eighteen hundred and sixty-seven.

Mr. Eastman moved that the amendment to Senate Bill No. 31, recommended by the Committee of the Whole, be adopted.

Carried.

Mr. Walter moved that the bill be ordered engrossed.

Carried.

Mr. McCoy moved that the message of the Governor, transmitting the Report of the State Mineralogist, be taken up.

Carried.

Mr. Cassidy moved that the Report of the State Mineralogist be referred to the Committee on Mines and Mining.

Carried.

Mr. Stevenson moved that the Senate go into Committee of the Whole for the consideration of the General File.

Carried.

In time, the committee rose, and made the following report:

Mr. PRESIDENT: The Committee of the Whole have had under consideration Senate Bill No. 48, and report the same back to the Senate, with the recommendation that it do not pass.

Also, Senate Bill No. 26, which they report back to the Senate, and ask leave to sit again thereon.

Also, Senate Bill No. 19, which they report back to the Senate, recommending that it be reëngrossed, and passed as amended.

Mr. Stevenson moved to adjourn.

Carried.

So, at three o'clock and thirty-five minutes P. M., the Senate adjourned.

Approved: FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

IN SENATE—TWENTY-FIFTH DAY.

CARSON CITY, January 30th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Absent—None.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read, and corrections being made, was approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 15—An Act to amend an Act enti-

tled "An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five; approved March eleventh, eighteen hundred and sixty-seven;" approved March third, eighteen hundred and sixty-nine;

Also, Substitute for Senate Bill No. 24—An Act concerning official bonds of Justices of the Peace;

Also, Senate Bill No. 28—An Act fixing the salary of the District Attorney of Churchill County;

Also, Senate Bill No. 35—An Act to amend an Act entitled "An Act in relation to common jails and the prisoners thereof, approved November twenty-fifth, eighteen hundred and sixty-one," approved March third, eighteen hundred and sixty-six;

Also, Senate Joint Resolution No. 36—Relative to public lands in the State of Nevada;

With the original copies thereof, and find the same correctly engrossed.

T. S. DAVENPORT,
ROBT. McBETH,
Committee.

Mr. PRESIDENT: Your Standing Committee on Judiciary, to which was referred Senate Bill No. 62—entitled "An Act concerning records now in the custody of County Recorders of this State;"

Also, Senate Bill No. 61—entitled "An Act to allow convicts to testify as witnesses in prosecutions for felony against other convicts;"

Report that they have had the two bills under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend their passage.

Also, Senate Bill No. 39—entitled "An Act concerning juries"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend its passage.

Also, Senate Bill No. 18—entitled "An Act to amend An Act to regulate proceedings in civil cases in the Courts of justice of this State"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with amendments, and recommend its passage as amended.

W. W. McCOY, Chairman.

Mr. PRESIDENT: Your Standing Committee on Mines and Mining, to which was referred the Report of the State Mineralogist, respectfully report that they have had the same under consideration, and have carefully examined the same.

We find that it contains the most complete history of the resources of the State of Nevada; a greater amount of information as to their development and value, and more matter of a scientific nature to our own people and to the world at large, than has ever emanated from the office. And deeming it a matter of the first importance, that those desirous of investing in our mines and other resources should have accurate information in regard to the same, and believing that they will find such information in this report, we would respectfully recommend that two thousand copies of said report be printed; one hundred copies each, for the Centennial Commissioners; fifty each, for the Commissioners to the International Exhibition at Vienna; one hundred each, for our Repre-

sentatives in Congress; two hundred and fifty for the Senate; five hundred for the Assembly; two hundred and fifty for the State Mineralogist, and four hundred for the Secretary of State and Librarian. We would suggest that one fourth of the foregoing copies be bound in cloth.

We beg leave to report further, that we have carefully weighed the subject of the importance of the office of State Mineralogist to the State, and taking the report of Mr. Whitehill as the basis of our judgment, we are of the opinion that its value and utility is beyond question.

ROBERT McBETH, Chairman.

Mr. Walter moved that the report of the Committee on Mines and Mining be adopted.

Carried.

MR. PRESIDENT: Your Standing Committee on State Affairs, to which was referred Senate Substitute for Assembly Bill No. 3—entitled "An Act to amend an Act entitled 'An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election,'" approved January eighteenth, eighteen hundred and sixty-five—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate with an amendment, and the recommendation that the substitute, as amended, pass.

W. S. HOBART, Chairman.

REPORT OF SPECIAL COMMITTEE.

MR. PRESIDENT: Your special committee, consisting of the Storey County delegation, to which was referred Senate Bill No. 60—An Act to amend an Act entitled "An Act to provide for the outstanding indebtedness of Virginia City,"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same back to the Senate, and recommend it do pass.

PHELAN, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. McClinton:

Resolved, That the Senate committee appointed to examine and report on Messrs. Bonnifield and Healy's compilation of laws of this State, be authorized to appoint a clerk, whose per diem shall be paid out of the Contingent Fund of the Senate.

Mr. Walter moved the adoption of the resolution, on which the roll was called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

NAYS—None.

By Mr. Phelan:

Resolved, That Fred. H. Hart be and he is hereby appointed reporting clerk of the Senate, at a per diem of eight dollars, to be paid out of the Contingent Fund of the Senate.

Mr. Cassidy moved the adoption of the resolution.

Roll called, resulting as follows:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Fox, Hazlett, Hobart, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Stevenson, Varian, Walter, and Wilson—18.

NAYS—Messrs. Clapp, Eastman, Hill, Lockwood, Small, and Thompson—6.

Mr. Moore gave notice that he would, on to-morrow, move a reconsideration of the vote whereby the above resolution was adopted.

By Mr. Mills: Concurrent Resolution—Relative to printing the Report of the State Mineralogist.

Mr. Walter moved the adoption of the resolution.

Mr. McBeth moved as an amendment, that five hundred copies be bound in cloth, to be distributed pro rata in proportion to the whole.

Roll called on the adoption of the resolution, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

NAYS—None.

Mr. PRESIDENT: Your Standing Committee on Federal Relations, to whom was referred the Substitute for Concurrent Resolution No. 37—Relating to saline lands—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the recommendation that the substitute do pass.

McCLINTON, Chairman.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 29th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Concurrent Resolution No. 65—Relative to Joint Committee on Compilation of Statutes being empowered to employ a clerk—the same having this day been indefinitely postponed by the Assembly.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 28th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Bill No. 12, the same, as amended, having passed the Assembly: Yeas, 43; nays, none.

Also, Senate Concurrent Resolution No. 51, the same having passed the Assembly by the following vote: Yeas, 40; nays, 3.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 29th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 24—entitled "An Act concerning the determination of conflicting rights to mining claims in certain cases"—the same having passed the Assembly by the following vote: Yeas, 39; nays, 2.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, January 29th, 1873. }

To the honorable the Senate:

I have this day approved, and deposited with the Secretary of State, Senate Bill No. 8, entitled "An Act to transfer certain moneys from the Indigent Sick and Contingent Funds of Esmeralda County to the Redemption Fund of said county."

Respectfully,

L. R. BRADLEY, Governor.

COMMUNICATIONS FROM THE SECRETARY OF STATE.

To the honorable the Senate:

I have the honor herewith to transmit bills as follows, to wit:

F. D. Sargent, for drayage for Senate chamber.....	\$20 00
James Sackett, for cutting and storing wood.....	75 63

All of which is respectfully submitted.

J. D. MINOR, Secretary of State.

STATE OF NEVADA,
OFFICE OF SECRETARY OF STATE. }

To the honorable the Senate:

I have the honor to transmit herewith an itemized statement of the manner in which all appropriations made for this department for the seventh and eighth fiscal years, other than for the payment of salaries, have been expended.

Very respectfully,

J. D. MINOR,
Secretary of State.

NOTICE.

By Mr. Walter: That he will, on some future day, introduce a bill for An Act to provide for the suppression of Peter Funk lecturers, and to provide for the prosecution and punishment of reporters puffing the same.

INTRODUCTION OF BILLS.

Mr. Thompson, without previous notice, introduced Senate Bill No. 70—An Act concerning the terms of Court in the Second Judicial District.

Mr. Thompson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Lockwood, in accordance with previous notice, introduced Senate Bill No 71—An Act for the better observance of the Christian Sabbath.

Mr. Lockwood moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Public Morals.

Carried.

Mr. Wilson, in accordance with previous notice, introduced Senate Bill No. 72—An Act to consolidate and fund the indebtedness of Lincoln County.

Mr. Wilson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Lincoln County delegation.

Carried.

Mr. Mills, without previous notice, introduced Senate Bill No. 73—An Act entitled "An Act to regulate the sale of poisonous drugs, medicines, and patent medicines."

Mr. Mills moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to a delegation from Lyon and Nye Counties.

Carried.

Mr. Crawford introduced Senate Bill No. 74—An Act authorizing School District No. 1, Ormsby County, to issue warrants to cover certain indebtedness for building a school house in said district.

Read first time.

Mr. Crawford moved that the rules be suspended; the bill read the

second time by title, and referred to the delegation from Ormsby County.

Carried.

Mr. Phelan introduced Senate Bill No. 75—An Act for the relief of Hon. John Cradlebaugh, deceased, late United States District Judge.

SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Concurrent Resolution No. 11—Relative to visiting Insane Asylum at Woodbridge—Mr. Small moved the adoption of the resolution.

Roll called, resulting as follows:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, McBeth, Phelan, Small, Stevenson, Thompson, and Walter—19.

NAYS—Messrs. Davenport, Mills, Moore, and Varian—4.

The President appointed Senator Clapp as a committee to visit said asylum.

Senate Bill No. 75.

Read first time.

Mr. Mills moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Claims.

Mr. Moore moved, as a substitute, that the bill be rejected.

The yeas and nays were called for on the question to reject, by Messrs. Small, Moore, and Stevenson, and the motion lost by the following vote:

YEAS—Messrs. Lockwood, Mills, Moore, McBeth, Small, and Stevenson—6.

NAYS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Phelan, Thompson, Varian, and Wilson—17.

Mr. Moore moved to refer the bill to the Committee on Judiciary.

Carried.

Mr. McClinton gave notice that the committee appointed to examine Bonnifield and Healy's compilation of the laws had appointed C. H. King as clerk of said committee.

Mr. Varian moved to take a recess until two o'clock p. m.

Carried.

Senate met at two o'clock p. m.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Absent—None.

Assembly Bill No. 24—An Act concerning the determination of conflicting rights to mining claims in certain cases.

Mr. Cassidy moved that the reading had be considered the first read-

ing of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Senate Bill No. 12—An Act to provide firemen for the furnaces of the Capitol building during the session of the Legislature.

Mr. Moore moved that amendment No. 1 be concurred in.

Roll called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, McClinton, Mills, Moore, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—18.

NAYS—Messrs. Hill and Phelan—2.

Roll called on the adoption of amendment No. 2, resulting as follows:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hill, Hobart, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—None.

COMMUNICATION FROM CONTROLLER.

SEAT OF GOVERNMENT, OFFICE OF STATE CONTROLLER, }
CARSON CITY, January 30th, 1873. }

To the honorable the Senate:

GENTLEMEN: I beg leave to submit the following claims, being certain deficiency claims for the years eighteen hundred and sixty-nine and eighteen hundred and seventy, which were approved by the Board of Examiners for those years, reported to the honorable Legislature of eighteen hundred and seventy-one; a portion of the same approved in part, and a portion not acted upon by that body; again presented to the present Board of Examiners, allowed in full, with legal interest, and herewith presented to your honorable body, as required by law.

Your obedient servant,

W. W. HOBART,
State Controller.

By THEO. A. HALE, Deputy.

Mr. Mills moved to refer the above communication to the Committee on Claims.

Carried.

Mr. McCoy introduced Senate Bill No. 77—An Act to extend the legal condition of foreign corporations.

Read first time.

Mr. McCoy moved that the rules be suspended; the bill read second time by title, and referred to Committee on Judiciary.

GENERAL FILE.

Substitute for Joint Resolution No. 36—Relative to public lands in the State of Nevada.

Roll called on the passage of the resolution, resulting as follows:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

An Act to amend an Act entitled "An Act to amend An Act entitled An Act in relation to common jails and the prisoners thereof," approved November twenty-fifth, eighteen hundred and sixty-one, approved March third, eighteen hundred and sixty-six.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAYS—None.

Senate Bill No. 15—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven, approved March third, eighteen hundred and sixty-nine.

Mr. Wilson moved that a special committee of one be appointed to amend by striking out "eighteen hundred," and inserting "twenty-four hundred," salary of Treasurer of Lincoln County.

Mr. Wilson was appointed as such committee, and reported the bill amended as per instructions.

Roll called on the final passage of the bill, resulting as follows:

YEAS—Messrs. Campbell, Cassidy, Clapp, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—None.

Senate Bill No. 31—An Act to amend "An Act entitled 'An Act concerning District Attorneys, approved March eleventh, eighteen hundred and sixty-five,' approved February twenty-sixth, eighteen hundred and sixty-six," approved March eleventh, eighteen hundred and sixty-seven.

Mr. Varian moved to refer to a special committee of one, with instructions to strike out "one thousand," and insert "twelve hundred," after "first day of January, eighteen hundred and seventy-five," as to District Attorney of Humboldt County.

Carried.

Mr. Varian, as such committee, reported the bill amended as per instructions.

Mr. Varian moved the adoption of the report.

Mr. Mills rose to a point of order, that it was not in order to make such a motion.

Ruled not well taken.

Mr. Mills appealed from the decision of the Chair.

The question being: "Shall the decision of the Chair be considered the decision of the Senate?" the roll was called with the following result:

YEAS—Messrs. Campbell, Hazlett, Hill, McBeth, Phelan, and Walter—6.

NAYS—Messrs. Cassidy, Cleveland, Crawford, Davenport, Fox, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, Small, Stevenson, and Varian—14.

Roll called on the final passage of the bill, resulting as follows:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

NAYS—None.

Substitute for Senate Bill No. 24—An Act concerning official bonds of Justices of the Peace.

Mr. Davenport moved to refer to a special committee of one, with instructions to amend by adding a new section relative to constables being required to give bonds.

Carried.

Mr. Davenport, as committee appointed to amend, reported the bill amended as per instructions of the Senate.

Mr. Davenport moved to strike out the words "section two" of the original bill, and insert the words "section three" in lieu thereof.

Carried.

Roll called and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—21.

NAYS—None.

Mr. Davenport moved that the title of the bill be amended so as to include constables.

Carried.

Senate Bill No. 28—An Act fixing the salary of the District Attorney of Churchill County.

Mr. Hill moved that the bill be temporarily laid on the table.

Carried.

Senate Bill No. 61—An Act to allow convicts to testify as witnesses in prosecutions for felonies against other convicts.

Mr. Lockwood moved that the bill be considered engrossed, and placed on its third reading and final passage.

Carried.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—18.

NAYS—Messrs. Clapp, Crawford, Hobart, Mills, Moore, and Wilson—6.

Senate Bill No. 62—An Act concerning records now in custody of County Recorders of this State.

On motion, the bill was ordered engrossed.

Senate Bill No. 18—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all

other Acts in relation thereto, approved March eighth, eighteen hundred and sixty-nine.

Mr. Cassidy moved that the amendments recommended by the Judiciary Committee be adopted, and the bill ordered engrossed.

Mr. Mills called for a division of the question.

Carried.

Question was on the adoption of amendments recommended by Judiciary Committee.

Amendments adopted.

Mr. McBeth moved to re-refer the bill to the Committee of the Whole.

Carried.

Mr. Clapp desired to be excused from serving as committee to visit the Insane Asylum at Woodbridge.

On motion, Mr. Clapp was excused and Mr. McClinton appointed in his stead.

Senate Bill No. 39—An Act concerning juries.

Mr. Mills moved that the bill be engrossed.

Carried.

Senate Substitute for Assembly Bill No. 3—An Act to amend an Act entitled "An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," approved January tenth, eighteen hundred and sixty-five—from Committee on State Affairs, recommending amendments.

Mr. McBeth moved that the amendments be adopted.

Carried.

Mr. McBeth moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 60—An Act to amend an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County," approved January twenty-seventh, eighteen hundred and sixty-five.

On motion, the bill was ordered engrossed.

Substitute for Senate Concurrent Resolution No. 37—Relative to saline lands in the State of Nevada.

On motion, the resolution was ordered engrossed.

Senate Bill No. 16—An Act to amend an Act entitled "An Act defining the duties of the Attorney General of the State of Nevada," approved March first, eighteen hundred and sixty-seven—from Judiciary Committee, with amendment recommended.

Mr. Lockwood moved that the amendment be adopted and the bill ordered engrossed.

Carried.

Senate Bill No. 27—An Act to exempt from taxation the property of the Improved Order of Red Men.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, Moore, McBeth, Phelan, Small, and Wilson—15.

NAYS—Messrs. Cassidy, Cleveland, Lockwood, Mills, Stevenson, Varian, and Walter—7.

Mr. Phelan moved to adjourn.

Lost.

The Secretary read the title of Senate Bill No. 19.

Mr. Phelan moved to adjourn.

Point of order raised by Mr. Stevenson, that no business had been transacted since the previous motion to adjourn.

Ruled not well taken.

Motion to adjourn put and lost.

Senate Bill No. 19—An Act entitled An Act in relation to public highways.

Mr. McBeth moved to adopt the report of the Committee of the Whole, and that the bill be ordered engrossed.

Carried.

Mr. McBeth moved to adjourn.

Yeas and nays called for, with the following result:

YEAS—Messrs. Campbell, Cleveland, Eastman, Hobart, McClinton, Phelan, and Varian—7.

NAYS—Messrs. Cassidy, Clapp, Crawford, Davenport, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Small, Stevenson, Thompson, Walter, and Wilson—16.

Mr. Phelan moved to adjourn.

Carried.

So, at four o'clock and nine minutes, the Senate adjourned.

Approved: FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

IN SENATE—TWENTY-SIXTH DAY.

CARSON CITY, January 31st, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Absent—None.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Committee on State Prison, to which was referred Senate Bill No. 67—An Act to provide for the removal of Lefevre

and Gates, insane convicts, from the State Prison to the Insane Asylum—respectfully report that they have had the same under consideration, and have come to the following conclusion thereon:

That they fail to discover any good reason for the change contemplated by the bill. That the convicts, Gates and Lefevre, whether kept in the prison or removed to the insane asylum, must be closely and securely confined; and that the cost of keeping them at the prison would be much less than it would be at the asylum. That the change sought to be effected would not improve the condition of the prisoners, nor promote the humane purpose therein desired; and have therefore directed their Chairman to report the bill back to the Senate, with the recommendation that it be indefinitely postponed.

GEO. F. MILLS, Chairman.

Mr. PRESIDENT: Your Standing Committee on State Affairs, having had under consideration Senate Bill No. 23—entitled "An Act in relation to the sureties on the official bond of Eben Rhoades, late State Treasurer of the State of Nevada"—report the same back to the Senate, a majority of your committee recommending its passage.

In view of the importance of this bill, the majority of the committee deem it proper to state briefly some of the reasons which impelled them to make a favorable report. There is no difference of opinion in the committee regarding the strict legal liability of these bondsmen for some portion of the defalcation, and, in fact, this liability is the cause of their asking relief through an Act of the Legislature.

The case of *The State vs. Rhoades* has been twice tried by jury, the first time resulting in a verdict for the State, the second time for the defendants. The late Eben Rhoades was elected in eighteen hundred and sixty-six as his own successor; and it has been, on both of these trials, a serious question as to how much of the defalcation occurred in his first term, and for which, it must be admitted, these bondsmen are not responsible.

In the testimony of Mr. Bostwick, the expert, it is stated, that after a careful examination of several months of the books of the late State Treasurer, that he cannot, and in his opinion it is impossible for any one to tell how much of the defalcation occurred in the second term. The attention of your committee has been called to the fact that it is made, by the statute of February seventh, eighteen hundred and sixty-five, the duty of the Board of Examiners to count the money, and make an examination of the books of the State Treasurer, at least once a month, and make an official report thereof. This law was in effect at the time the sureties signed the bond, and they had a right to expect that the Board of Examiners would comply with the law, and thereby give them that protection which would insure a prompt and speedy discovery of any unlawful diversion of the public funds. Had this Board done their duty, a defalcation of such magnitude could not have occurred. But, instead of making such examination and counting, the fact appears that the Board neglected to make an official report for more than a year, and during a period of four years there were only ten countings of the moneys in the State Treasury.

It also appears that at the commencement of the second term of Rhoades, he being his own successor, there was no official count of the money in the Treasury, nor any examination of the condition of the

Treasurer's affairs; so that it is now, and on the trial of the case always has been, impossible to tell what the state of the Treasury then was.

The majority of your committee are informed and believe that not more than one third of the twenty-nine sureties upon the bond are solvent and pecuniarily able to respond to any judgment that might be obtained against them. This fact makes it impossible for the State, if it should recover judgment for the full sum claimed, to ever collect more than one half the amount from the solvent sureties.

Taking into consideration the fact that these bondsmen are not liable for that portion of the defalcation which occurred during the first term of Rhoades; that doubt, which does now, and must always exist, as to the portion which should be charged to the first term; the evidence that some portion of the defalcation did exist during the first term; that the Board of Examiners did not discharge their duty, which the law of eighteen hundred and sixty-five required of them, and thus deprived these sureties of a protection which the law had given them; the fact that two thirds of the sureties are now insolvent, thus increasing greatly the hardship upon the solvent ones; the fact that the sureties were held to be responsible for the Special Deposit Fund by a divided Court, showing that their liability for those funds is not entirely free from doubt; that it is not improbable, as the Supreme Court is now constituted, that the decision before rendered may be overruled; the fact that if the State should get a judgment for the whole sum of one hundred thousand dollars, not more than one half of it could be collected, even if the sureties now solvent remain so; and, finally, the fact that the case of *The State vs. Rhoades* has been now pending in the Courts some three years without result, together with the expense which has attended, and must still attend, the prosecution of this suit—the majority of your committee, after a thorough examination of the whole matter, are of the opinion that the further prosecution of this suit against these bondsmen should cease, and, to that end, that the bill now under consideration become a law.

Respectfully,

W. S. HOBART,
JAS. W. SMALL.

REPORTS OF SELECT COMMITTEES.

MR. PRESIDENT: Your special committee, consisting of the Douglas County delegation, to which was referred Assembly Bill No. 25—An Act to authorize the County Commissioners of Douglas County to levy a tax for building purposes—report that they have had the same under consideration, have come to a favorable conclusion thereon, and recommend that it do pass.

SMALL, Chairman.

MR. PRESIDENT: Your select committee to which was referred Senate Bill No. 72—"An Act to fund the indebtedness of Lincoln County"—report that they have had the same under consideration; have come to a favorable conclusion thereon, and recommend that it do pass without amendment.

JOHN R. WILSON,
R. S. CLAPP,
Committee.

Mr. PRESIDENT: Your select committee to which was referred Senate Bill No. 74—An Act authorizing the School Trustees of School District No. 1, Ormsby County, to issue warrants to cover certain indebtedness for building a school house in said district, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same back, with the recommendation that it pass.

ISRAEL CRAWFORD, Chairman.

Mr. PRESIDENT: Your special committee appointed to investigate the affairs of the Nevada Gift Association, in Virginia City, ask leave of absence for the committee, for that purpose.

THOMPSON, Chairman.

On motion, leave was granted.

MOTIONS AND RESOLUTIONS.

Mr. Moore, in accordance with notice given, moved the reconsideration of the vote whereby the resolution relative to the appointment of an official reporter was adopted.

Roll called, resulting as follows:

YEAS—Messrs. Clapp, Crawford, Eastman, Hill, Lockwood, McClinton, Moore, Phelan, Small, Stevenson, Thompson, and Walter—12.

NAYS—Messrs. Campbell, Cassidy, Cleveland, Davenport, Fox, Hazlett, Hobart, McCoy, Mills, and Wilson—10.

Mr. Moore moved that the resolution be so amended as to include T. V. Julien.

Mr. Thompson moved to further amend by inserting the name of C. C. Powning.

Mr. Clapp moved that the whole subject matter be indefinitely postponed.

Withdrawn.

Mr. Lockwood moved to further amend by adding the name of Mr. Sessions to the resolution.

Ruled out of order.

Mr. Varian moved, as a substitute, that the Senate proceed to elect two official reporters.

On which the roll was called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Fox, Hazlett, Hobart, McCoy, McClinton, McBeth, Phelan, Varian, Walter, and Wilson—15.

NAYS—Messrs. Clapp, Eastman, Hill, Lockwood, Mills, Moore, Stevenson, and Thompson—8.

Mr. McBeth asked leave for the day, subject to a call of the House.
Granted.

Mr. Moore nominated Messrs. Fred. H. Hart and T. V. Julien, as official reporters of the Senate.

Mr. Thompson nominated Mr. Powning.

Mr. Wilson nominated Mr. Scanlan.

Mr. Davenport nominated Mr. Sessions.

Mr. Clapp renewed his motion that the whole subject matter be indefinitely postponed.

On which the roll was called, with the following result:

YEAS—Messrs. Clapp, Eastman, Hobart, Lockwood, Mills, and Thompson—6.

NAYS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Fox, Hazlett, Hill, McCoy, McClinton, Moore, Phelan, Small, Stevenson, Varian, Walter, and Wilson—17.

Roll called on the election of official reporters, resulting as follows:

For Messrs. Julien and Hart: Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Small, Stevenson, Varian, Walter, and Wilson—22.

For Mr. Powning: Mr. Thompson—1.

By Mr. Phelan:

Resolved, That when the Committee of the Whole of the Senate reports to the President of the Senate, such report shall be considered as received, and the Senate shall proceed to act upon bills and amendments to bills in the order in which they are recommended by the committee.

Mr. Phelan moved the adoption of the resolution.

Carried.

Mr. Stevenson moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Thompson, Walter, and Wilson—19.

Absent—Messrs. Cleveland, McBeth, Small, Stevenson, and Varian—5.

By Mr. Lockwood:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and required to draw his warrant on the Contingent Fund of the Senate in favor of Frederick H. Hart and Thomas V. Julien, for their services as official reporters of the Senate, at the rate of eight dollars per day, from and after January thirtieth, eighteen hundred and seventy-three.

Adopted.

By Mr. Phelan:

WHEREAS, The Senate has, by unanimous vote, decided to visit the Orphan Asylum, located at Virginia City; therefore,

Resolved, That when the Senate adjourns it adjourns until Monday, February third, eighteen hundred and seventy-three, at eleven o'clock A. M.

Adopted.

By Mr. Clapp: Senate Concurrent Resolution No. 78—Relative to granting leave of absence to P. B. Miller, County Clerk of Lincoln County.

Roll called on the adoption of the resolution, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClin-ton, Mills, Moore, Phelan, Thompson, Walton, and Wilson—20.

NAYS—None.

By Mr. McCoy, on leave:

Mr. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 70—An Act concerning terms of Court in the Second Judicial District—report that they have had the same under consideration; have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend its passage.

By Mr. Phelan:

Resolved, That a committee of five be appointed to visit the Nevada Orphan Asylum, and report to the Senate as to how the State moneys have been expended, and how the orphans have been cared for, to report at an early a day as possible.

Adopted.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 30th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Concurrent Resolution No. 13—Relative to printing Report of Commissioners of the State Orphans' Home—the same having this day passed the Assembly by the following vote: Yeas, 46; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, January 31st, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body, Senate Bill No. 61—entitled "An Act to allow convicts to testify as witnesses in prosecutions for felonies against other convicts"—the same being returned by order of the Assembly for the purpose of engrossment.

Also, Senate Concurrent Resolution No. 69—Relative to printing

Report of the State Mineralogist—the same having this day been amended and passed by the following vote: Yeas, 39; nays, 1.

Respectfully,

J. M. WOODWORTH,

Assistant Clerk.

Mr. Davenport moved a call of the Senate.

Carried.

The roll called; the following members present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Walter, and Wilson—20.

Absent—Messrs. McBeth, Small, Stevenson, and Varian—4.

Mr. McBeth appearing at the bar of the Senate, and offering an excuse, was admitted to his seat.

Messrs. Small, Stevenson, and Varian appearing at the bar of the Senate, were admitted to their seats on paying a fine of one dollar each.

Mr. Eastman moved that further proceedings under the call be dispensed with.

Carried.

NOTICES.

By Mr. Phelan: That he will, on some future day, introduce a bill for An Act to procure historical paintings for Senate and Assembly chambers, and to provide for the payment of the same.

By Mr. Mills: That he will, on some future day, introduce a bill for An Act to amend an Act entitled "An Act concerning compensation of jurors," approved March fifth, eighteen hundred and sixty-nine.

Also, a bill for An Act to amend section four of an Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five.

By Mr. Walter: That he will, on some future day, introduce a bill for An Act fixing the compensation of County Auditors.

By Mr. Moore: That he will, on some future day, introduce a bill for An Act to provide for the transportation of convicts and insane persons from the various county seats in this State to the State Prison and Insane Asylum, at the expense of the State.

Also, a bill for An Act authorizing the appointment of a commission to compile and prepare a code of laws for the government of the State of Nevada.

By Mr. Davenport: That he will, on some future day, introduce a bill for An Act concerning Coroners.

INTRODUCTION OF BILLS.

Assembly Concurrent Resolution No. 13—Relative to printing the Report of the Commissioners of the State Orphans' Home.

Mr. Mills moved that the resolution be referred to the Committee on State Affairs.

Carried.

Mr. Thompson, without previous notice, introduced Senate Bill No. 80—An Act to amend section twenty-nine of an Act entitled "An Act to provide revenue for the support of the government of the State of Ne-

vada," as amended by section one of an Act approved March first, eighteen hundred and seventy-one.

Mr. Thompson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Phelan, in accordance with previous notice, introduced Senate Bill No. 81—An Act to incorporate the Miners' Union and the Ancient Order of Hibernians.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Corporations.

Carried.

On motion of Mr. Walter, the message from the Governor was taken up.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, January 31st, 1873. }

To the honorable the Senate:

I have this day approved, and deposited with the Secretary of State, Senate Bill No. 9—An Act to amend an Act entitled "An Act to create the County of Elko, and provide for the organization thereof," approved March fifth, eighteen hundred and sixty-nine.

Also, Senate Bill No. 10—"An Act to regulate and tax foreign insurance companies doing business in this State."

Respectfully,

L. R. BRADLEY, Governor.

Senate Bill No. 70—An Act concerning the terms of Court in the Second Judicial District—was, on motion of Mr. Thompson, taken up.

Mr. Thompson moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 19—An Act in relation to public highways.

Mr. Cassidy moved that the vote by which the report of the Committee of the Whole, as far as relates to Senate Bill No. 19, be reconsidered.

Withdrawn.

Mr. Davenport requested that the Committee on Engrossment be allowed to return Senate Bill No. 19 to the Senate without reëngrossment.

No objection being had, the request was granted.

Mr. McBeth moved that the report of the Committee of the Whole be acted upon seriatim.

Mr. Cassidy rose to a point of order, that the report of the Committee of the Whole had been adopted in gross.

Ruled well taken.

Mr. McBeth asked leave to withdraw Senate Bill No. 19.

Leave granted.

Mr. Lockwood moved that the Senate go into Committee of the Whole for the consideration of Senate Bill No. 26.

Carried.

In time, the committee rose, reported progress, and asked leave to sit again.

Leave granted.

The President pro tem. appointed the following named Senators as a committee for the purpose of visiting the Orphan Asylum in Virginia City: Messrs. Phelan, Lockwood, Hazlett, Wilson, and McCoy.

Mr. Phelan moved to adjourn.

Carried.

So, at three o'clock and forty minutes P. M., the Senate adjourned until Monday, February third, eighteen hundred and seventy-three, at eleven o'clock A. M.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—TWENTY-NINTH DAY.

CARSON CITY, February 3d, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

Absent—Messrs. Eastman and Hobart—2.

Absent on leave—Mr McClinton—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of Friday read and approved.

Mr. Thompson asked leave of absence for Mr. Eastman.

Leave granted.

Mr. Stevenson asked indefinite leave of absence for Mr. Hobart.

Leave granted.

PETITION.

By Mr. Cleveland: From citizens of north part of Nye County, praying to be annexed to White Pine County.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 9—An Act to amend an Act entitled "An Act to create the County of Elko, and provide for the organization thereof," approved March fifth, eighteen hundred and sixty-nine;

Also, Senate Bill No. 10—An Act to regulate and tax foreign insurance companies doing business in this State;

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

MR. PRESIDENT: Your Standing Committee on Federal Relations, to which was referred Senate Concurrent Resolutions Nos. 29 and 58—relative to election of President, etc., and postal telegraph—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate, without recommendation.

CLEVELAND, Chairman.

MR. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Substitute for Assembly Bill No. 3—An Act to amend an Act entitled "An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," approved January tenth, eighteen hundred and sixty-five;

Also, Senate Bill No. 16—An Act to amend an Act entitled "An Act defining the duties of Attorney General of the State of Nevada," approved March eleventh, eighteen hundred and sixty-seven;

Also, Senate Bill No. 60—An Act to amend an Act entitled "An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County," approved January twenty-seventh, eighteen hundred and sixty-five;

Also, Senate Bill No. 62—An Act concerning records now in the custody of County Recorders of this State;

Also, Substitute for Senate Concurrent Resolution No. 37—Relative to saline lands in the State of Nevada;

Also, Senate Bill No. 39—An Act concerning juries;

Also, Senate Bill No. 70—An Act concerning the terms of Court in the Second Judicial District;

With the original copies thereof, and find them correctly engrossed.

T. S. DAVENPORT,
ROBT. McBETH,
Committee.

MR. PRESIDENT: Your Standing Committee on Ways and Means, to which was referred Senate Bill No. 59—An Act authorizing the State Treasurer to employ a deputy, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend that it do pass.

J. C. HAZLETT, Chairman.

MR. PRESIDENT: Your Committee on Counties and County Boundaries, to which was referred Senate Bill No. 33—entitled An Act to amend an Act entitled "An Act to define and establish the boundary lines of Elko County, Nevada," approved March first, eighteen hundred and seventy-one, have had the same under consideration, and a majority of the com-

mittee have come to an unfavorable conclusion thereon, and respectfully report a substitute bill therefor, and recommend the passage of the substitute.

WM. HILL, Chairman.

Mr. Moore moved that the whole subject matter to which the report of the Committee on Counties and County Boundaries refers in the above report be indefinitely postponed.

Mr. Cleveland moved, as a substitute, that the bill be laid on the table.
Carried.

By Mr. Eastman: Relative to that portion of the Governor's Message relating to the Centennial Fair, etc. (See Appendix.)

Mr. Lockwood moved to dispense with the reading of the report.
Carried.

MOTIONS AND RESOLUTIONS.

By Mr. Hill:

Resolved, That the Committees on Roads and Bridges, Federal Relations, Enrollment, and Engrossment, be allowed a clerk jointly.

On motion of Mr. Hill, the roll was called, and the resolution was adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, Phelan, Thompson, Varian, Walter, and Wilson—19.

NAYS—Messrs. Small and Stevenson—2.

By Mr. Thompson: That the official reporters be allowed a clerk.

Mr. Cleveland moved the adoption of the resolution.

On which the roll was called, with the following result:

YEAS—Messrs. Mills, Moore, and Thompson—3.

NAYS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Fox, Hazlett, Hill, Lockwood, Phelan, Small, Stevenson, Varian, Walter, and Wilson—16.

By Mr. Crawford:

Resolved, That Thomas Carson be and he is hereby appointed night watchman for the Senate Chamber from and after this date, at a compensation of five dollars per day, payable out of the Contingent Fund.

Mr. Cleveland moved the adoption of the resolution.

Mr. Mills moved as an amendment that the word "five" be stricken out, and the word "ten" be inserted.

Roll called on the amendment, resulting as follows:

YEAS—Messrs. Mills, Moore, Thompson, and Walter—4.

NAYS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McBeth, Phelan, Small, Stevenson, Varian, and Wilson—18.

Mr. Walter moved that the watchman contemplated be allowed a clerk.

Roll called on the question, with the following result:

YEAS—Messrs. Cassidy, Mills, Moore, Varian, Walter, and Wilson—6.

NAYS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Fox, Hazlett, Hill, Lockwood, McCoy, McBeth, Phelan, Small, Stevenson, and Thompson—15.

Mr. McBeth moved that the resolution be amended by inserting, after the word "watchman," the words "and clerk to the Sergeant-at-Arms."

Mr. Stevenson rose to a point of order, that all matter relative to a clerk for the Sergeant-at-Arms had been indefinitely postponed.

Ruled well taken.

Roll called on the adoption of the resolution, with the following result:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Hazlett, Lockwood, Phelan, Small, and Wilson—10.

NAYS—Messrs. Clapp, Eastman, Fox, Hill, McCoy, Mills, Moore, McBeth, Stevenson, Thompson, Varian, and Walter—12.

By Mr. McCoy: Senate Concurrent Resolution No. 82:

Resolved, by the Senate, the Assembly concurring, That nine hundred and sixty copies of the Report of the Select Committee on Centennial Affairs be published for the use of the members of the two bodies, apportioned according to their members respectively.

Mr. Moore moved the adoption of the resolution.

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

By Mr. Hill:

Resolved, That the Senate Committee on Counties and County Boundaries be and it is hereby authorized and empowered to administer oaths and call for persons and papers.

Adopted.

NOTICE.

By Mr. Moore: That he will, on some future day, introduce a bill for An Act to provide for the confinement in prison for a term of years of persons tried by the Courts, charged with high crimes, and adjudged not guilty by reason of insanity.

INTRODUCTION OF BILLS.

Mr. Cleveland, in accordance with previous notice, introduced Senate Bill No. 83—An Act to extend and change the southern boundary of White Pine County.

Mr. Cleveland moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Counties and County Boundaries.

Carried.

Mr. Cleveland, without previous notice, introduced Senate Bill No. 84—An Act for the relief of White Pine County.

Mr. Cleveland moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Hill, without previous notice, introduced Senate Bill No. 85—An Act to apportion the payment of the salary of the District Judge of the Fifth Judicial District, between Churchill and Nye Counties.

Read first time.

Mr. Hill moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Davenport, in accordance with previous notice, introduced Senate Bill No. 86—An Act concerning Coroners.

Mr. Davenport moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Hazlett, in accordance with previous notice, introduced Senate Bill No. 87—An Act to create a Board of Tax Commissioners, and define the duties thereof.

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Moore, without previous notice, introduced Senate Bill No. 88—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one.

Read first time.

Mr. Moore moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Moore, without previous notice, introduced Senate Bill No. 89—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of justice in this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary, and two hundred and forty copies ordered printed.

Carried.

Mr. Cleveland, without previous notice, introduced Senate Bill No. 90—An Act defining who are vagrants and prescribing punishments for vagrancy.

Mr. Cleveland moved that the reading had be considered the first read-

ing of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Public Morals.

Carried.

Mr. Walter, without previous notice, introduced Senate Bill No. 91—An Act to fix the salary of the Auditor of Nye County.

Read first time.

Mr. Walter moved that the rules be suspended; the bill read the second time by title, and placed on General File.

Carried.

Mr. Moore, without previous notice, introduced Senate Bill No. 92—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary, and two hundred and forty copies ordered printed.

Carried.

Mr. McBeth, without previous notice, introduced Senate Bill No. 93—An Act entitled "An Act in relation to public highways."

Mr. McBeth moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title; ordered engrossed, and two hundred and forty copies printed.

Carried.

Mr. Hazlett, without previous notice, introduced Senate Bill No. 94—An Act providing for the appointment and payment of an agent or agents at Washington City, D. C., for attending to the certification of lands granted by Congress to the State of Nevada.

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Public Lands.

Carried.

Mr. Hazlett, in accordance with previous notice, introduced Senate Bill No. 95—An Act to amend "An Act to create the office of State Mineralogist and define the duties of such officer," approved March first, eighteen hundred and sixty-nine.

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Hazlett, without previous notice, introduced Senate Bill No. 96—An Act defining the manner of assessing railroads.

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Mr. Mills moved, as an amendment, to refer the bill to Committee on Railroads and Internal Improvements.

Carried.

Mr. Hazlett, without previous notice, introduced Senate Bill No. 97—An Act to require Assessors to pay over to the County Treasurer, monthly, all poll taxes collected.

Mr. Hazlett moved that the reading had be considered the first read-

ing of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Hazlett, without previous notice, introduced Senate Bill No. 98—An Act to limit the compensation of County Auditors for extending the tax list on the assessment roll.

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Hazlett introduced Senate Bill No. 99—An Act to appropriate funds for the preparation and publication of the eighth and ninth volumes of the Nevada Reports.

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Mills introduced Senate Bill No. 100—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five.

Mr. Mills moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

COMMUNICATION FROM THE GOVERNOR.

EXECUTIVE OFFICE,
CARSON CITY, February 3d, 1873. }

To the honorable the Legislature of Nevada:

I have the honor to present herewith the bill of F. S. Armistead, for the capture of escaped convicts. The amount of five hundred dollars, as claimed, was offered as a reward for the capture of said escapes, and believing said claim to be correct and just, I hereby recommend the payment of the same by your honorable body.

Very respectfully,

L. R. BRADLEY.

The State of Nevada to F. S. ARMISTEAD,

DR.

Sept. 27th, 1871—For recapture of two escaped State Prison convicts, named Leander Morton and Moses Black.....	\$500
Interest and incidental expenses	250
Total	\$750

Mr. Phelan moved that the communication of the Governor, together with the claim of Armistead, be referred to the Committee on Claims.

Carried.

Mr. Phelan moved to take a recess until two o'clock P. M.
Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

Absent—Mr. Cleveland—1.

Absent on leave—Messrs. McClinton and Hobart—2.

Mr. Hobart moved that Senate Bill No. 74—An Act authorizing the School Trustees of School District No. 1, Ormsby County, to issue warrants to cover certain indebtedness for building a school house in said district—be taken from the File and ordered engrossed.

Carried.

Mr. Stevenson asked for leave of absence for the remainder of the day.
Leave granted.

Mr. Varian moved that the Senate go into Committee of the Whole for the consideration of the General File.

Carried.

In time, the committee rose, and reported as follows:

Mr. PRESIDENT: The Committee of the Whole have had under consideration Senate Bill No. 26—An Act providing for the government of the towns and cities of this State—have made various amendments thereto, report the same to the Senate, with the recommendation that the amendments be adopted.

Mr. Davenport moved to adjourn.

Lost.

Mr. McBeth asked leave of absence for the Committee on Counties and County Boundaries and the Humboldt delegation for the remainder of the day.

Leave granted.

Mr. Mills moved that the report of Committee of the Whole be read.

Report read.

Mr. Hill moved to adjourn.

Lost.

Mr. Mills called for the reading of the amendments recommended by the Committee of the Whole.

Mr. Phelan moved to adjourn.

Lost.

Mr. Cassidy moved a call of the Senate.

Carried.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Fox, Hazlett, Hill, Lockwood, McCoy, Moore, Small, and Thompson—14.

Absent—Messrs. Eastman, Mills, McBeth, Phelan, Stevenson, Walter, and Wilson—7.

Mr. Lockwood moved that further proceedings under the call be dispensed with.

Carried.

Amendments recommended by Committee of the Whole read, as follows, and, on motion, adopted seriatim:

In section one, line thirty-nine, printed copy, after the word "ped-

dlers," insert the words: "*Provided*, that no tax or license shall be required for peddling the agricultural productions of this State." In line forty-one, same section, strike out the words "gambling houses." In line seventy-five, same section, strike out the word "once," and insert the words "any time after twenty days notice." In line ten, section three, strike out the word "Clerk," and insert the word "Auditor." In line twelve, same section, between the words "but" and "at," insert the word "if." In line seven, section four, after the word "Board," insert the words "shall certify the claim to the Auditor, who." In line thirteen, same section, strike out the word "Clerk," and insert the word "Auditor." In line nine, section six, insert the word "seven" before the words "per cent." In line sixteen, same section, insert the word "seven" after the last word "of." In line twenty-three, same section, insert the word "three" before the word "months." In line twenty-six, same section, insert the word "twenty" before the words "per cent." In line one, section seven, insert the words "five hundred dollars" after the word "of." In line seven, section ten, after the word "county," insert the words "Justices of the Peace shall receive the same fees and compensation as in other cases provided by law." In line three, section eleven, insert the word "fifteen" before the word "dollars." In line six, same section, insert the words "six hundred" before the word "dollars." In line six, section twelve, insert the words "one hundred and fifty" before the word "dollars." In line four, section thirteen, insert the word "two" before the words "per cent." In line six, section fourteen, insert the word "five" before the word "dollars." In line eight, same section, insert the words "three hundred" before the word "dollars." In line nine, section fifteen, before the word "dollars," insert the word "five." In line eleven, same section, before the word "cents," insert the words "twenty-five." In line thirteen, same section, before the word "dollars," insert the words "two hundred." Insert the following substitute for section sixteen:

"SEC. 16. Nothing in this Act contained shall be construed to apply to the transactions of county business in any of the counties of this State; nor shall any of the powers of jurisdiction conferred, be exercised by any officer or person, in any town or city, before there shall have been filed in the Clerk's office of the county in which the same is situated, a written petition for the application of the provisions of this Act to said town or city, signed by a majority of the actual residents of such town or city, representing at least three fifths of the taxable property. The genuineness of all signatures to such petition, and the qualifications of the subscribers, shall be established by the affidavits of reliable taxpayers of said town or city, filed with such petition."

The following amendment, proposed by the Committee of the Whole, was lost: In line three, section four, strike out the words "to the affairs of which said government relates."

Mr. Cassidy moved that the bill be ordered engrossed.

Carried.

Mr. Campbell, by leave, made the following notice: The Committees on Roads and Bridges, Federal Relations, Enrollment, and Engrossment, have appointed Edward Kieseles as their clerk.

Mr. Cassidy moved to adjourn.

Carried.

So, at four o'clock P. M., the Senate adjourned.

Approved: FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

IN SENATE—THIRTIETH DAY.

CARSON CITY, February 4th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

Absent on leave—Messrs. Hobart and McClinton—2.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Standing Committee on State Affairs, to which was referred Assembly Concurrent Resolution No. 13—Relative to printing the Report of the Commissioners of the Orphans' Home—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate without recommendation.

VARIAN, Chairman pro tem.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 71—An Act for the better observance of the Christian Sabbath—report that they have had the same under consideration, have come to no conclusion thereon, and have directed their Chairman to report the same to the Senate without recommendation.

CLAPP, Chairman.

MR. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 74—entitled An Act authorizing the School Trustees of School District No. 1, Ormsby County, to issue warrants to cover certain indebtedness for building a school house in said district—with the original copy thereof, and find it correctly engrossed.

T. S. DAVENPORT,
ROBERT MCBETH,
Committee.

Mr. PRESIDENT: Your Committee on Ways and Means, to which was referred Senate Bill No. 54—entitled “An Act to define the duties of pawnbrokers and pledgees”—have had the same under consideration; have come to a favorable conclusion thereon, and directed their Chairman to report the same back, and recommend that it do pass.

HAZLETT, Chairman.

Mr. PRESIDENT: Your Committee on Ways and Means, to which was referred Senate Bill No. 98—entitled “An Act to limit the compensation of County Auditors for extending the tax list on the assessment roll”—report that they have had the same under consideration; have come to a favorable conclusion thereon, and directed their Chairman to report the same back, and recommend that it do pass.

J. C. HAZLETT, Chairman.

Mr. PRESIDENT:—Your Committee on Ways and Means, to which was referred Senate Bill No. 97—entitled “An Act to require Assessors to pay over to the County Treasurers, monthly, all poll taxes collected”—report that they have had the same under consideration; have come to a favorable conclusion thereon, and directed their Chairman to report the same back, and recommend that it do pass.

Also, that they have had under consideration Senate Bill No. 80—entitled “An Act to amend section twenty-nine of an Act entitled An Act to provide revenue for the support of the government of the State of Nevada, as amended by section one of an Act as approved March first, eighteen hundred and seventy-one”—report they have come to a favorable conclusion thereon, and directed their Chairman to report the same back, and recommend that it do pass.

Also, Senate Bill No. 87—entitled “An Act to create a Board of Tax Commissioners and define the duties thereof”—they report that they have come to a favorable conclusion thereon, and have directed their Chairman to report the same back, and recommend that it do pass.

Also, that the accompanying document of queries, submitted by this committee to Hon. W. W. Hobart, and his replies thereto, be received as a part of this report, and that the same be published in the Appendix to the Senate Journal.

J. C. HAZLETT, Chairman.

[For report see Appendix.]

Mr. Lockwood moved that the further reading of the above named queries be dispensed with.

Carried.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Concurrent Resolution No. 51—Relative to leave of absence to Treasurer and District Attorney of Esmeralda County—has been carefully compared with the engrossed resolution, found correctly enrolled, and has this day been deposited with the Secretary of State.

Also, Senate Bill No. 12—An Act to provide firemen for the furnaces of the Capitol building during the sessions of the Legislature—has been carefully compared with the engrossed bill, found correctly enrolled, and has this day been handed to the Governor for his approval.

Mr. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 81—entitled An Act to incorporate the Miners' Union and Ancient Order of Hibernians—report that they have had the same under consideration, and have come to a favorable conclusion thereon, and have instructed their Chairman to report the same back, and recommend that it do pass.

WILSON, Chairman.

REPORT OF SPECIAL COMMITTEE.

Mr. Phelan presented a report from the special committee appointed to visit and report on the State Orphan Asylum in Virginia City.

[For report see Appendix.]

Mr. Phelan moved that two hundred and forty copies be ordered printed.

Lost.

COMMUNICATIONS.

The following communications were received from the Secretary of State and Secretary of Board of Examiners:

STATE OF NEVADA,
DEPARTMENT OF STATE. }

To the honorable the Senate:

I have the honor to transmit herewith to your honorable body, the following claims, to wit:

Claim of B. H. Meder.....	\$ 241 59
Claim of Ormsby County.....	2,260 90
Less \$32 10 for fees heretofore transmitted by State Controller.	

Very respectfully,

J. D. MINOR,
Secretary Board of Examiners.

To the honorable the Senate:

I have the honor to transmit herewith the bill of Charles Bray, for hauling wood for the Senate Chamber, sixty dollars and fifty cents.

Very respectfully,

J. D. MINOR,
Secretary of State.

MOTIONS AND RESOLUTIONS.

By Mr. Cassidy:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to provide a suitable office for the Journal Clerk of the Senate.

Mr. Cassidy moved the adoption of the resolution.

Mr. Lockwood moved to amend, by instructing the Sergeant-at-Arms to inquire whether the Journal Clerk of the Senate can occupy the same room with the Journal Clerk of the Assembly.

Carried.

NOTICES.

By Mr. Moore: That he will, on some future day, introduce a bill for An Act to provide for the destruction of noxious animals within this State.

By Mr. Varian: That he will, on some future day, introduce a bill for An Act to further amend an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March twentieth, eighteen hundred and sixty-five.

INTRODUCTION OF BILLS.

Mr. Moore, by leave and without previous notice, introduced Senate Bill No. 101—An Act for the relief of T. A. Waterman, for time occupied and expenses incurred in organizing Elko County.

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

NOTICES.

By Mr. Hill, on leave: The Committees on Federal Relations, Roads and Bridges, Enrollment, and Engrossment, have appointed Ed. Kieseles as their clerk.

Mr. Varian, pursuant to previous notice, introduced Senate Bill No. 102—An Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March ninth, eighteen hundred and sixty-five.

Mr. Varian moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary, and two hundred and forty copies ordered printed.

Carried.

GENERAL FILE.

Senate Bill No. 16—An Act to amend an Act entitled "An Act defining the duties of the Attorney General of the State of Nevada," approved March eleventh, eighteen hundred and sixty-seven.

Mr. Hill moved to refer to a special committee of one, with instructions to amend by striking out section two.

Roll called, with the following result:

YEAS—Messrs. Cleveland, Hill, McCoy, Mills, McBeth, Phelan, and Thompson—7.

NAYS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Hazlett, Lockwood, Moore, Small, Stevenson, Varian, Walter, and Wilson—14.

Roll called on the final passage of the bill, which was passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAYS—None.

Mr. Moore, by leave, in accordance with previous notice, introduced Senate Bill No. 103—An Act to provide for the transportation of convicts and insane persons.

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on State Affairs, and two hundred and forty copies ordered printed.

Carried.

Mr. Davenport moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Walter—19.

Absent—Messrs. Cleveland, Varian, and Wilson—3.

Senate Bill No. 70—An Act concerning the terms of Court in the Second Judicial District.

Roll called on the final passage of the bill, resulting as follows:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Walter—19.

NAYS—None.

Senate Bill No. 62—An Act concerning records now in custody of County Recorders of this State.

Roll called on the final passage of the bill, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—20.

NAYS—None.

Senate Bill No. 60—An Act to amend an Act entitled An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County, approved January twenty-seventh, eighteen hundred and sixty-five.

Mr. Stevenson moved that the bill be referred to a special committee of one, with instructions to strike out the word "fifteen" and insert the word "twenty," in line eight.

The President appointed Mr. Stevenson as such committee, who reported amendments made, as per instructions.

Roll called on the final passage of the bill, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAY—Mr. Small—1.

Senate Substitute for Assembly Bill No. 3—An Act to amend an Act entitled "An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," approved January tenth, eighteen hundred and sixty-five.

Roll called on the final passage of the bill, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAYS—None.

Substitute for Senate Concurrent Resolution No. 37—Relative to saline lands in the State of Nevada.

Roll called on the final passage of the bill, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—None.

Senate Bill No. 74—An Act authorizing the School Trustees of School District No. 1, Ormsby County, to issue warrants to cover certain indebtedness for building a school house in said district.

Roll called on the final passage of the bill, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—20.

NAYS—None.

Assembly Bill No. 25—An Act to authorize the County Commissioners of Douglas County to levy a tax for building purposes.

Roll called on final passage of the bill, resulting as follows:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAYS—None.

Senate Bill No. 67—An Act to provide for the removal of Lefever and Gates, insane convicts, from the State Prison to the Insane Asylum.

Mr. Phelan moved that the bill be indefinitely postponed.

Mr. Hazlett moved as an amendment, that the bill be laid temporarily on the table.

Carried.

Senate Bill No. 23—An Act in relation to the sureties on the official bond of Eben Rhoades, late State Treasurer of the State of Nevada.

Mr. Crawford moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 48—An Act to repeal section two of an Act entitled "An Act requiring State officers to prepare and transmit to the Legislature duplicates of all reports intended for publication," approved February seventeenth, eighteen hundred and seventy-one.

Mr. Mills moved that the bill be indefinitely postponed.

Carried.

Senate Bill No. 72—An Act to consolidate and fund the indebtedness of Lincoln County.

On motion, the bill was ordered engrossed.

Senate Concurrent Resolution No. 69—Relative to printing the Report of the State Mineralogist.

Returned from the Assembly with the following amendment: "*Provided*, that such cloth binding shall not be an additional cost of more than twenty-five cents per copy."

Amendment of the Assembly concurred in by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, Small, Stevenson, Thompson, Walter, and Wilson—18.

NAYS—None.

Senate Bill No. 61—An Act to allow convicts to testify as witnesses in prosecutions for felonies against other convicts.

Mr. Lockwood moved that the rules be suspended, and the vote whereby the bill was passed be reconsidered.

Roll called on the question, with the following result:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—18.

NAYS—Messrs. Cassidy, McCoy, Mills, and Varian—4.

Mr. Lockwood moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 59—An Act to amend an Act entitled "An Act to authorize the State Treasurer to employ a deputy, and fixing his compensation, approved March ninth, eighteen hundred and sixty five," approved March fifth, eighteen hundred and sixty-six.

Mr. Walters moved that the bill be engrossed.

Carried.

Senate Concurrent Resolution No. 58—Relative to postal telegraph. On motion, bill ordered engrossed.

Senate Concurrent Resolution No. 29—Relative to the election of President, Vice President, and United States Senators, by a direct vote of the people.

Mr. Cleveland moved that the resolution be made the special order for Monday, at twelve o'clock.

Mr. Hazlett moved, as an amendment, that the resolution be ordered engrossed.

Carried.

Mr. Walter moved that the Senate go into Committee of the Whole, for the consideration of the General File.

Carried.

In time, the committee rose, and made the following report:

Mr. PRESIDENT: The Committee of the Whole have had under consideration Senate Bill No. 91—An Act to fix the salary of the Auditor of Nye County—which they recommend be referred to some committee.

Also, Senate Bill No. 18—An Act to amend an Act to regulate pro-

ceeding in civil cases in the Courts of justice of this State, and repeal all other Acts in relation thereto, approved March eighth, eighteen hundred and sixty-nine—which they report back with the following amendment to section one: "*Provided further*, notices of the sale of property on execution upon a judgment for any sum less than five hundred dollars, exclusive of costs, shall be given only by posting, in three public places in the county; one of which notices shall be posted at the Court House"—recommend that the bill be engrossed, and that it do pass.

Also, Senate Bill No. 68—An Act making appropriations for the support of the civil government of the State of Nevada, for the ninth and tenth fiscal years—which they report back, and recommend it be made the special order for Friday, at twelve o'clock.

Also, Senate Bill No. 81, to which they have proposed the following amendment: In section one, line three, insert the word "order" before the word "of"—report the bill back, and recommend the adoption of amendment, and that the bill be engrossed and passed.

Also, Senate Bill No. 80, which they report back, and recommend that it be engrossed.

WALTER, Chairman.

Mr. Lockwood moved that Senate Bill No. 91—An Act to fix the salary of the Auditor of Nye County—be taken up.

Carried.

Mr. Mills moved that the bill be referred to the Committee on Counties and County Boundaries.

Carried.

Senate Bill No. 18—An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto, approved March eighth, eighteen hundred and sixty-nine.

Mr. Cassidy moved that the amendment recommended by the Committee of the Whole be adopted, and the bill ordered engrossed.

Carried.

Senate Bill No. 68—An Act making appropriations for the support of the civil government of the State of Nevada, for the ninth and tenth fiscal years.

Mr. Phelan moved that the bill be made the special order for Friday, twelve o'clock m.

Carried.

Senate Bill No. 80—An Act to amend section twenty-nine of an Act entitled An Act to provide revenue for the support of the government of the State of Nevada, as amended by section one of an Act as approved March first, eighteen hundred and seventy-one.

Mr. Moore moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 81—An Act to incorporate the Miners' Union and the Ancient Order of Hibernians.

On motion, the bill was ordered engrossed.

Mr. Stevenson, by leave, introduced the following resolution:

Resolved, That the clerk of the Committee on Elections be notified that his services are no longer required.

Mr. Moore moved a call of the Senate.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—21.

Absent—Mr. Varian—1.

Mr. Eastman moved that further proceedings under the call be dispensed with.

Carried.

Mr. Cleveland moved to adjourn.

Lost.

Roll called on the adoption of the resolution of Mr. Stevenson, and resolution adopted, by the following vote:

YEAS—Messrs. Campbell, Davenport, Eastman, Fox, Hazlett, Lockwood, McCoy, McBeth, Small, Stevenson, Thompson, and Varian—12.

NAYS—Messrs. Cassidy, Clapp, Cleveland, Crawford, Hill, Mills, Moore, Phelan, and Wilson—9.

Mr. Thompson, by leave, introduced the following resolution:

Resolved, That all committee clerks heretofore appointed or elected, be and they are hereby discharged, and that the Senate proceed to elect four clerks, to do all committee work required.

Mr. Cassidy moved the adoption of the resolution.

On which the roll was called, with the following result:

YEAS—Messrs. Cassidy, Clapp, Eastman, Fox, Moore, Small, Stevenson, and Thompson—8.

NAYS—Messrs. Campbell, Cleveland, Crawford, Davenport, Hazlett, Hill, Lockwood, McCoy, Mills, McBeth, Phelan, Varian, and Wilson—13.

Mr. Varian moved to adjourn.

Carried.

So, at four o'clock and ten minutes p. m., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—THIRTY-FIRST DAY.

CARSON CITY, February 5th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McBeth, Phelan, Small, Thompson, Varian, Walter, and Wilson—18.

Absent—Messrs. Davenport, Mills, Moore, and Stevenson—4.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

Mr. Fox asked leave of absence for Mr. Stevenson for one day.

Leave granted.

Mr. Hazlett asked leave of absence for Mr. Davenport for one day.

Leave granted.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Committee on Public Lands, to whom was referred Senate Bill No. 94—entitled An Act providing for the appointment and payment of an agent or agents at Washington City, D. C., for attending to the certification of lands granted by Congress to the State of Nevada—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend that it do pass.

Also, that they have had under consideration Senate Memorial and Concurrent Resolution No. 57—Relative to the coal lands in the State of Nevada—and have directed their Chairman to report the same to the Senate, with the following amendments: Strike out in lines one and two, page two, the words "and particularly along the line of the Comstock mines;" in line four strike out the word "western;" paragraph two, line two, insert the word "good" in lieu of the word "marketable;" paragraph three, line one, strike out the words "a law," and insert "Acts;" and after the word "approved," insert "July first, eighteen hundred and sixty-four and;" in paragraph two, page three, line three, after the word "said," insert the words "Acts of July first, eighteen hundred and sixty-four and;" in line five, after the word "domain," strike out "six hundred and forty," and insert "one hundred and sixty."

Mr. PRESIDENT: Your Standing Committee on Judiciary, to whom was referred Senate Bill No. 99—entitled An Act to appropriate funds for the preparation and publication of the eighth and ninth volumes of the Nevada Reports—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate, with the recommendation that it be referred to the Committee on Ways and Means.

Also, that they have had under consideration Senate Bill No. 88—entitled An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases;" that they have come to a favorable conclusion

thereon, and have directed their Chairman to report the same to the Senate and recommend its passage.

Also, that they have had under consideration Senate Bill No. 89—entitled An Act to amend an Act entitled “An Act to regulate proceedings in civil cases in the Courts of justice of this State”—report that they have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate and recommend its passage.

Also, Senate Bill No. 86—entitled An Act concerning Coroners—report that they have come to an unfavorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the recommendation that it do not pass.

Also, Senate Bill No. 75—entitled An Act for the relief of the heirs of Hon. John Cradlebaugh—that they have directed their Chairman to report the same to the Senate, without recommendation.

Also, Senate Bill No. 101—An Act for the relief of T. A. Waterman—report that they have directed their Chairman to report the same to the Senate with amendments, and recommend its passage as amended.

Also, Senate Bill No. 32—An Act to amend an Act entitled “An Act to redistrict the State of Nevada,” approved February twenty-seventh, eighteen hundred and sixty-nine—report that they have directed their Chairman to report the same to the Senate without recommendation.

Also, Senate Bill No. 39—entitled “An Act concerning juries”—report that they have directed their Chairman to report the same to the Senate, with the accompanying substitute, and recommend the passage of the substitute.

Also, Assembly Bill No 24—An Act concerning the determination of conflicting rights to mining claims in certain cases—report that they have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate and recommend its passage.

W. W. McCOY, Chairman.

Mr. PRESIDENT: Your Standing Committee on State Affairs, to which was referred Senate Concurrent Resolution No. 47—Relative to the Central Pacific Railroad Company obtaining patents for lands—report that they have had the same under consideration, have directed their Chairman to report a substitute therefor to the Senate, with the recommendation that the substitute do pass.

Mr. PRESIDENT: The undersigned, your Standing Committee on Counties and County Boundaries, to which was referred Assembly Bill No. 13—entitled “An Act to remove the county seat of Humboldt County”—would respectfully report that we have had the same under careful consideration, and that after due examination of witnesses, and all the papers filed in the case, find as follows:

First—That there is a general law by which legal voters of any county can remove the county seat. (See Statutes eighteen hundred and sixty-seven, page seventy-eight.)

Second—That the question of the removal of the county seat of Humboldt County was submitted to the legal voters of said county on the sixth day of December, eighteen hundred and sixty-nine; at which election Winnemucca did not receive a majority of all the votes cast.

Third—That certain legal voters of Humboldt County who were in favor of the removal of the county seat, did petition the Board of Commissioners for such removal on the fifth day of January, eighteen hun-

dred and seventy-two, and there not being sufficient names subscribed thereto to warrant the granting of an order by the Board for holding an election, the prayer of the petitioners was denied.

Fourth—That the petition in favor of removal of county seat of said Humboldt County presented to your committee, has not a majority of the names of the taxpayers of said county.

Fifth—That of nine hundred and thirteen registered voters at the last general election in Humboldt County, less than one third of said voters petition for the removal of the county seat of said county.

We therefore report the bill back to the Senate, and recommend that it be indefinitely postponed.

WM. HILL, Chairman.
C. H. EASTMAN,
GEO. F. MILLS,
JNO. R. WILSON,
D. P. WALTER,
Committee.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Concurrent Resolution No. 69—Relative to printing the Report of State Mineralogist—has been carefully compared with the engrossed resolution, found correctly enrolled, and has this day been deposited with the Secretary of State.

A. J. LOCKWOOD, Chairman.

Mr. PRESIDENT: Your Standing Committee on Claims, to which was referred the claims of C. H. Maish and Edward Harper, for work performed and material furnished, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the accompanying resolution directing their payment.

Resolved, That the amounts herein set forth be ordered paid from the Contingent Fund of the Senate, in payment for work and material furnished for Senate Chamber: To C. H. Maish, one hundred and thirty-five and twenty-five one hundredths dollars; to Edward Harper, six dollars.

JAMES PHELAN, Chairman.

On motion of Mr. Phelan, the resolution was adopted.

Mr. PRESIDENT: Your Committee on Engrossment report that they have carefully compared Senate Bill No. 26—An Act providing for the government of the cities and towns of this State—and have found the same correctly engrossed.

ISRAEL CRAWFORD, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 4th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited with the Secretary of State,

Senate Bill No. 12—"An Act to provide firemen for the furnaces of the Capitol building during the sessions of the Legislature."

Respectfully,

L. R. BRADLEY, Governor.

MOTIONS AND RESOLUTIONS.

Mr. Moore moved that Senate Bill No. 33—Relative to boundary line between White Pine and Elko Counties—be taken from the table.

Carried.

Mr. Moore moved that the bill be referred to the White Pine and Elko delegations.

Carried.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,

CARSON CITY, January 31st, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 15—entitled "An Act to regulate marks and brands of stock"—the same having passed the Assembly by the following vote: Yeas, 35; nays, 4.

Also, return to you Senate Joint Resolution No. 49—Relative to extending the Government survey over the public lands in the State of Nevada—the same having passed the Assembly by the following vote: Yeas, 38; nays, none.

Respectfully,

J. M. WOODWORTH,

Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,

CARSON CITY, February 4th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Joint Resolution No. 12—Relative to swamp and overflowed lands—the same having this day passed the Assembly: Yeas, 37; nays, 3.

Also, return to your honorable body, Senate Bill No. 31—[entitled An Act to amend an Act entitled] "An Act concerning District Attorneys," approved March eleventh, eighteen hundred and sixty-five, approved February twenty-sixth, eighteen hundred and sixty-six, approved March eleventh, eighteen hundred and sixty-seven—the same having been amended, and passed by the Assembly as amended, by: Yeas, 38; nays, 1.

Also, Senate Concurrent Resolution No. 82—Relative to printing Report of Committee on Centennial Affairs—the same having passed the Assembly: Yeas, 30; nays, 3.

Respectfully,

J. M. WOODWORTH,

Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 3d, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Concurrent Resolution No. 78—Relative to granting leave of absence to P. B. Miller, County Clerk of Lincoln County, Nevada—the same having passed the Assembly by the following vote: Yeas, 32; nays, 9.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

ASSEMBLY CHAMBER,
CARSON, NEVADA, February 4th, 1873. }

To the honorable the Senate:

I am instructed by the Assembly to transmit, for your information, a copy of a resolution passed by the House on the third day of February, eighteen hundred and seventy-three.

Resolved, by the Assembly, That it is the sense of this House, that when messages from the Senate are presented to the House, if the House is in Committee of the Whole, that the Speaker take the chair, and receive the message, and that the Clerk be required to furnish the Senate the purport of this resolution.

Respectfully,

A. WHITFORD, Clerk.

NOTICES.

By Mr. Cleveland: That he will, on some future day, introduce a bill for An Act to improve the Truckee River for the purpose of floating timber and cordwood, and for constructing flumes and booms for landing the same.

By Mr. Lockwood: That he will, on to-morrow, move to amend Standing Rules of the Senate.

INTRODUCTION OF BILLS.

Mr. McCoy, by leave, and without previous notice, introduced Senate Bill No. 104—An Act to encourage the discovery and development of coal mines in this State.

Mr. McCoy moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Mines and Mining.

Carried.

Mr. McCoy introduced Senate Bill No. 105—An Act to amend an Act entitled "An Act providing for the taxation of the net proceeds of mines."

Mr. McCoy moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Mines and Mining.

Carried.

Mr. Phelan introduced Senate Bill No. 106—An Act to provide for the protection of the State Capitol building against fire, and for supplying water for general uses in said Capitol building.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Moore introduced Senate Bill No. 107—An Act to provide for the destruction of noxious animals within the State.

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Agriculture and Manufactures.

Carried.

Mr. Hazlett, without previous notice, introduced Senate Bill No. 108—An Act entitled "An Act to provide for the payment of the salaries of District Attorneys of the several counties of this State."

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Mr. Fox introduced Senate Bill No. 109—An Act to provide for the erection of a State Prison.

Mr. Fox moved that the reading had be considered the first reading of the bill; the rules be suspended; the bill read the second time by title, and referred to the Committee on State Prison.

Assembly Bill No. 15—An Act to regulate the marks and brands of stock.

Mr. Mills moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee on Railroads and Internal Improvements.

Mr. Moore moved to amend by referring to Committee on Agriculture and Manufactures.

Carried.

Mr. Varian, by leave, introduced the following resolution:

Resolved, That the fireman of the Capitol building be paid for three weeks' service, at the rate of five dollars per day, out of the Contingent Fund of the Senate.

Mr. Varian moved the adoption of the resolution.

Carried.

Assembly Joint Resolution No. 12—Relative to swamp and overflowed lands.

Mr. Mills moved that the reading had be considered the first reading of the resolution; that the rules be suspended; read second time by title, and referred to the Committee on Public Lands.

Carried.

GENERAL FILE.

Senate Bill No. 31—An Act to amend "An Act entitled 'An Act concerning District Attorneys, approved March eleventh, eighteen hundred and sixty-five,' approved February twenty-sixth, eighteen hundred and sixty-six," approved March eleventh, eighteen hundred and sixty-seven. Bill having been returned from the Assembly with amendments.

Mr. Walter moved that the Senate do not concur in the amendments recommended by the Assembly.

Carried.

Mr. Walter moved that a committee of conference be appointed to consider the amendments.

Carried.

The President appointed Messrs. Walter, Cleveland, and Clapp, as such committee on the part of the Senate.

Senate Bill No. 26—An Act providing for the government of the towns and cities of this State.

Mr. Mills asked leave of absence for the remainder of the day.

Leave granted.

Roll called on the final passage of Senate Bill No. 26, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Moore, McBeth, Phelan, Small, Thompson, Varian, and Walter—17.

NAYS—Messrs. Cleveland and Wilson—2.

Mr. Phelan moved to take a recess until half past one o'clock p. m.

Lost.

Mr. McCoy moved to take a recess until two o'clock p. m.

Carried.

Senate met at two o'clock p. m.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Moore, McBeth, Phelan, Small, Thompson, Walter, and Wilson—18.

By Mr. Lockwood:

WHEREAS, The Assembly of the State of Nevada, now in session, has, in the fullness of its heart and the plenitude of its superior wisdom, been so kind as to instruct this Senate in many of the elementary principles of parliamentary law; and, whereas, this Senate, feeling itself woefully deficient in these principles, feels duly and deeply grateful to the said wise Assembly; therefore, be it

Resolved, That this Senate tender its sincere thanks to its honorable Mentor, the honorable the Assembly, and request that that body will on all future occasions extend to the Senate the benefits of its superior wisdom and knowledge of parliamentary law, and that a committee of three members of the Third House be appointed to present this preamble and resolution to the honorable the Assembly.

By Mr. Moore:

WHEREAS, The Assembly of the State of Nevada, now in session, having kindly and in a marked manner called the attention of the Senate to their superior knowledge of parliamentary law; and, whereas, the occasion which seems to have called the attention of the wisdom of the lower branch of the Legislature was a mere oversight of an attaché of this body; therefore, be it

Resolved, That the Senate fully appreciates the kind feeling expressed in the resolution above mentioned, and when at any time it appears to the honorable Assembly that the Senate do not possess a sufficient knowledge of parliamentary law as to properly manage the affairs of this body, that they will kindly inform us of it.

On motion, the above resolutions were laid on the table.

REPORT OF THE COMMITTEE ON ENGROSSMENT.

MR. PRESIDENT: Your Committee on Engrossment report that they have carefully compared Senate Bill No. 81—An Act to incorporate the Miners' Union and the Ancient Order of Hibernians—with the original bill, and find it correctly engrossed.

ISRAEL CRAWFORD, Chairman.

Assembly Bill No. 13—An Act to remove the county seat of Humboldt County.

Mr. McBeth moved that the bill be indefinitely postponed.

Mr. Lockwood moved, as an amendment, that the bill be laid temporarily on the table.

Mr. Moore rose to a point of order, that a motion to lay on the table is not debatable.

Ruled well taken.

Roll called on motion to lay on the table.

Motion carried by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Eastman, Fox, Hazlett, Lockwood, McCoy, Moore, Phelan, Small, Thompson, Varian, Walter, and Wilson—16.

NAYS—Messrs. Cleveland, Hill, and McBeth—3.

Assembly Bill No. 24—An Act to determine conflicting rights to mining claims in certain cases.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McBeth, Phelan, Small, Thompson, Varian, Walter, and Wilson—18.

NAYS—None.

Senate Bill No. 81—An Act to incorporate the Miners' Union and the Ancient Order of Hibernians.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Moore, McBeth, Phelan, Small, Thompson, Varian, Walter, and Wilson—18.

NAYS—None.

The following communication was received from the Sergeant-at-Arms:

SENATE CHAMBER,
CARSON, (Nev.,) February 5th, 1873. }

To the honorable the Senate:

I have the honor to report that, in accordance with instructions of the Senate, of date February fourth, I have inquired in relation to the Journal Clerk of the Senate occupying the same room in connection with the Journal Clerk of the Assembly, and can make no arrangement therefor—the room occupied by the Clerk of the Assembly being a private room; but have made arrangements whereby the Journal Clerk of the Senate can occupy the room of Chief Justice Whitman, in the Capitol building, he having given his consent to the same.

Respectfully,

A. K. LAMB, Sergeant-at-Arms.

Senate Memorial and Joint Resolution No. 57—Relative to the coal lands in the State of Nevada—reported from Committee on Public Lands, with amendments.

On motion, the amendments recommended by the committee were adopted and the resolution ordered engrossed.

Senate Bill No. 99—An Act to appropriate funds for the preparation and publication of the eighth and ninth volumes of the Nevada Reports.

Mr. Lockwood moved to refer the bill to the Committee on Ways and Means.

Carried.

Senate Bill No. 86—An Act concerning Coroners.

Mr. Lockwood moved to lay the bill on the table.

Carried.

Mr. McBeth moved to take Assembly Bill No. 13 from the table.

Senate Bill No. 101—An Act for the relief of T. A. Waterman, for time occupied and expenses incurred in the organization of Elko County.

Mr. Moore moved that the bill be placed at the foot of the File.

Carried.

Senate Bill No. 75—An Act for the relief of the heirs of Hon. John Cradlebaugh, deceased, late United States District Judge.

Mr. Eastman moved that further consideration of the above bill be indefinitely postponed.

Carried.

Senate Bill No. 94—An Act providing for the appointment and payment of an agent or agents at Washington City, D. C., for attending to the certification of lands granted by Congress to the State of Nevada.

On motion, bill ordered engrossed.

Senate Bill No. 89—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

On motion, the bill was ordered engrossed.

Senate Bill No. 32—An Act to amend an Act entitled "An Act to

redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine.

On motion, the bill was ordered engrossed.

Senate Bill No. 88—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one.

Ordered engrossed.

Senate Bill No. 87—An Act to create a Board of Tax Commissioners, and define the duties thereof.

Mr. Eastman moved that the bill be ordered engrossed.

Carried.

Mr. Hazlett moved that the Senate go into Committee of the Whole, for the consideration of the General File.

Carried.

In time, the committee rose, and reported as follows:

Mr. PRESIDENT: Your Committee of the Whole have had under consideration Senate Bill No. 87—An Act to create a Board of Tax Commissioners and define the duties thereof—recommend that it be ordered engrossed, and that it do pass.

Also, Senate Bill No. 98—An Act to limit the compensation of County Auditors for extending the tax list on the assessment roll—which they recommend do pass, and that it be ordered engrossed.

Also, Senate Bill No. 97—An Act to require Assessors to pay over to the County Treasurers, monthly, all poll taxes collected—which they recommend be ordered engrossed, and that it do pass.

Also, Substitute for Senate Bill No. 39—An Act concerning juries—which they recommend be printed.

Mr. Lockwood moved to take up Substitute to Senate Bill No. 39.

Carried.

Substitute for Senate Bill No. 39—An Act concerning juries.

Mr. McCoy moved that the bill be printed.

Carried.

On motion, Senate Bills Nos. 87, 97, and 98, were taken up, and, in compliance with recommendations of Committee of the Whole, were ordered engrossed.

Mr. McCoy, by leave, introduced Senate Bill No. 112—An Act in relation to the removal of county seats in this State.

Mr. McCoy moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Senate Bill No. 71—An Act for the better observance of the Christian Sabbath.

On motion, ordered engrossed.

Mr. Hill moved to adjourn.

Lost.

Senate Bill No. 54—An Act to define the duties and liabilities of pawnbrokers and pledgees.

Ordered engrossed.

Assembly Concurrent Resolution No. 13—Relative to printing the Report of the Commissioners of the Orphans' Home.

Roll called on the concurrence of the Senate. Senate concurred by the following vote:

YEAS—Messrs. Clapp, Cleveland, Crawford, Eastman, Hazlett, Hill, Lockwood, McCoy, Moore, Phelan, Small, Walter, and Wilson—13.

NAYS—Messrs. Cassidy, Fox, and Thompson—3.

Substitute for Senate Concurrent Resolution No. 47—Relative to Central Pacific Railroad Company obtaining patents to land.

Mr. Lockwood moved to place the resolution at the foot of the File.

Carried.

Mr. Moore moved to adjourn.

Carried.

So, at four o'clock and twenty minutes, the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—THIRTY-SECOND DAY.

CARSON CITY, February 6th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following named Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent, on leave—Mr. Hobart—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Education, to which was referred Senate Bill No. 13—An Act to compel children to attend school—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend its passage.

C. C. STEVENSON, Chairman.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Concurrent Resolution No. 29—Relative to the election of the President and Vice President, and United States Senators by a direct vote of the people;

Also, Concurrent Resolution No. 58—Relative to postal telegraph; With the original copies thereof, and find them correctly engrossed.

Also, Senate Bill No. 59—entitled An Act to authorize the State Treasurer to employ a deputy, and fixing his compensation;

Also, Senate Bill No. 18—An Act to amend "An Act to regulate proceedings in civil cases in the Courts of justice of this State;"

Also, Senate Bill No. 61—An Act to allow convicts to testify as witnesses in prosecutions for felonies against other convicts;

Report that they have compared the above named bills with the original copies thereof, and find them correctly engrossed.

ISRAEL CRAWFORD, Chairman.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Concurrent Resolutions Nos. 82 and 78;

Also, Memorial and Joint Resolution No. 49—Relative to extending the Government survey over the public land in the State of Nevada;

Have been carefully compared with the engrossed resolutions, found correctly enrolled, and have this day been deposited with the Secretary of State.

A. J. LOCKWOOD, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Varian moved that Senate Bill No. 13 be made the special order for Thursday next, at two o'clock P. M.

Carried.

Mr. McBeth moved that Assembly Bill No. 13 be taken from the table. Roll called, and motion lost by the following vote:

YEAS—Messrs. Cleveland, Eastman, Fox, Hill, Mills, McBeth, Thompson, Walter, and Wilson—9.

NAYS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Hazlett, Lockwood, McClinton, Moore, Phelan, Small, Stevenson, and Varian—13.

Mr. Cassidy asked leave of absence for the day for Mr. McCoy. Leave granted.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 5th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 37—An Act making appropriations for the seventh and eighth fiscal years—the same having passed the Assembly by the following vote: Yeas, 34; nays, none.

Also, Substitute Assembly Bill No. 33—entitled An Act to repeal an Act entitled "An Act supplementary to an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five,' and the Acts amendatory thereof," approved March sixth, eighteen hundred and sixty-

nine—the same having passed the Assembly by the following vote: Yeas, 36; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 5th, 1873. }

To the honorable the Senate:

I have the honor to herewith return to your honorable body Substitute Senate Bill No. 24—entitled An Act concerning official bonds of Justices of the Peace and Constables—the same having passed the Assembly by the following vote: Yeas, 43; nays, none.

Also, Senate Bill No. 27—entitled An Act to exempt from taxation the property of the Improved Order of Red Men—the same having failed to pass the Assembly by the following vote: Yeas, 19; nays, 23.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

INTRODUCTION OF BILLS.

Mr. Walter, by leave and without previous notice, introduced Senate Bill No. 113—An Act relating to State officers.

Read first time.

Mr. Walter moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Cleveland, by leave and without previous notice, introduced Senate Bill No. 114—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada."

Mr. Cleveland moved that the reading had be considered the first reading of the bill; that the rules be suspended, the bill read the second time by title, and referred to the Judiciary Committee.

Carried.

Mr. Eastman, without previous notice, introduced Senate Bill No. 115—An Act to fund the [hospital] debt of Washoe County and provide for the payment of the same.

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Washoe County delegation.

Carried.

Mr. Eastman, without previous notice, introduced Senate Bill No. 116—An Act to provide for the transfer of certain moneys from the Building Fund to the Indigent Sick Fund and other Funds of Washoe County.

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Washoe delegation.

Carried.

Mr. Wilson, without previous notice, introduced Senate Bill No. 117—An Act for the relief of John Kane, late Sheriff of Lincoln County.

Mr. Wilson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Lincoln County delegation.

Carried.

Mr. Hazlett, without previous notice, introduced Senate Bill No. 118—An Act to amend an Act entitled "An Act authorizing a State loan, and levying a tax to provide means for the payment thereof," approved February twenty-seventh, eighteen hundred and seventy-one.

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Hazlett, without previous notice, introduced Senate Bill No. 119—An Act to amend an Act entitled "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February sixth, eighteen hundred and sixty-seven, and to fund the floating debt and place the State upon a permanent cash basis," approved February twenty-seventh, eighteen hundred and seventy-one.

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Assembly Bill No. 37—An Act making appropriations for the seventh and eighth fiscal years.

Read first time.

Mr. Lockwood moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Claims.

Carried.

Substitute for Assembly Bill No. 33—An Act to repeal an Act entitled "An Act supplementary to An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof, approved March sixth, eighteen hundred and sixty-nine.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Railroads and Internal Improvements.

Carried.

GENERAL FILE.

Senate Bill No. 61—An Act to allow convicts to testify as witnesses in prosecutions for felonies against other convicts.

Mr. Mills moved that the bill be referred to a special committee of one, with instructions to amend by adding section five, as follows: "The provisions of this Act shall apply only to prosecutions against convicts who have escaped from the State Prison."

Carried.

Mr. President appointed Mr. Mills as such committee, who reported the amendment made as per instructions.

Mr. McClinton moved to refer to a special committee of one, with

instructions to amend by inserting the words "or County Jail," after the word "prison."

Carried.

The President appointed Mr. McClinton as such committee, who reported the amendments made as per instructions.

Roll called on the final passage of the bill. Bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Hazlett, Hill, McClinton, Mills, Moore, Small, Stevenson, Thompson, Varian, Walter, and Wilson—17.

NAYS—Messrs. Crawford, Fox, Lockwood, and Phelan—4.

Senate Concurrent Resolution No. 58—Relative to postal telegraph. Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McClinton, Moore, Phelan, Small, Stevenson, Thompson, Varian, and Walter—18.

NAYS—Messrs. Cleveland, Mills, and Wilson—3.

Senate Bill No. 59—An Act to amend an Act entitled "An Act to authorize the State Treasurer to employ a clerk, and fixing his compensation, approved March ninth, eighteen hundred and sixty-five," approved March first, eighteen hundred and sixty-six.

Mr. Thompson moved that the bill be referred to a special committee of one, with instructions to strike out the words "and fifty."

Lost.

Mr. Walter moved a call of the Senate.

Carried.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McClinton, Mills, Moore, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—20.

Absent—Messrs. McBeth and Varian—2.

Mr. McBeth appearing at the bar of the Senate, was, on motion of Mr. Walter, admitted within the bar for the purpose of offering an excuse; and on the payment of a fine of one dollar, was permitted to take his seat.

Mr. Varian appearing at the bar of the Senate, was admitted within the bar, and on motion, permitted to take his seat on the payment of a fine of one dollar.

Mr. Moore moved that further proceedings under the call be dispensed with.

Carried.

Mr. Lockwood asked leave of absence for the remainder of the day.

Leave granted.

Roll called on the final passage of Senate Bill No. 59. Bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McClinton, Mills, McBeth, Phelan, Varian, Walter, and Wilson—18.

NAYS—Messrs. Moore, Small, Stevenson, and Thompson—4.

Mr. Cleveland asked leave of absence for the remainder of the day.

Leave granted.

Mr. Phelan moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—18.

Absent—Messrs. Cleveland, Lockwood, McCoy, and Hobart (on leave)—4. Messrs. Mills and Varian (absent)—2.

Senate Concurrent Resolution No. 29—Relative to the election of the President, Vice President, and United States Senators, by a direct vote of the people.

Mr. McBeth moved to lay the resolution on the table temporarily.

Carried.

Senate Bill No. 18—An Act to amend "An Act in relation to proceedings in civil cases in Justices Courts."

Mr. McBeth moved to lay the bill temporarily on the table.

Mr. Cassidy moved, as an amendment, that the bill be placed at the foot of the File.

Carried.

Substitute for Senate Concurrent Resolution No. 47—Relative to Central Pacific Railroad Company obtaining patents to lands.

On motion, the resolution was ordered engrossed.

Senate Bill No. 101—An Act for the relief of T. A. Waterman, for time occupied and expenses incurred in the organization of Elko County.

Motion to adopt the amendments of the Committee on Judiciary.

Lost.

Mr. Moore moved to amend by striking out the words "empowered and commanded," and inserting the words "authorized and."

Carried.

On motion, the bill was ordered engrossed.

Mr. Moore, by leave, introduced Senate Bill No. 122—An Act to establish a commission for the revision of the laws.

Mr. Moore moved that the reading had be considered the first reading of the bill; the bill read the second time by title, and referred to the Committee on Judiciary, and two hundred and forty copies ordered printed.

Carried.

Mr. Stevenson, by leave, introduced Senate Bill No. 123—An Act to amend an Act to regulate fees and compensation for official and other services in the State of Nevada, approved March ninth, eighteen hundred and sixty-five.

Mr. Stevenson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Stevenson, by leave, introduced Senate Bill No. 124—An Act to amend an Act of the Governor and Legislative Assembly of the Territory of Nevada, entitled "An Act relating to Sheriffs," approved November twenty-eighth, eighteen hundred and sixty-one.

Mr. Stevenson moved that the reading had be considered the first

reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

By Mr. Hill, on leave:

Resolved, by the Senate, the Assembly concurring, That James W. Richards, County Auditor of Churchill County, be and he is hereby granted leave of absence from this State for the period of six months; *provided*, he shall have a deputy competent faithfully to discharge the duties of said office of County Auditor during said period.

Mr. Hill moved the adoption of the resolution.

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAYS—None.

Mr. Hill moved that the Senate adjourn.

Carried.

So, at two o'clock and forty minutes P. M., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—THIRTY-THIRD DAY.

CARSON CITY, February 7th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent, on leave—Mr. Hobart—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Engrossment report

that they have compared Senate Bill No. 32—entitled An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine;

Also, Senate Bill No. 72—An Act to consolidate and fund the indebtedness of Lincoln County;

Also, Senate Bill No. 80—An Act to amend section twenty-nine of an Act entitled An Act to provide revenue for the support of the government of the State of Nevada, as amended by section one of an Act as approved March first, eighteen hundred and seventy-one;

[With the original copies thereof, and find them correctly engrossed.]

ISRAEL CRAWFORD, Chairman.

Mr. PRESIDENT: Your Committee on Counties and County Boundaries, to which was referred Senate Bill No. 83—entitled An Act to extend and change the southern boundary of White Pine County—have had the same under consideration, and have directed their Chairman to report the same back to the Senate, with the accompanying amendment, to be numbered section two—section two to be numbered section three—and recommend that it do not pass.

WM. HILL, Chairman.

Mr. Mills asked leave to withdraw the bill.

Objected to.

Mr. Moore moved that Senate Bill No. 83 be laid on the table.

Carried.

Mr. PRESIDENT: Your Committee on Public Lands, to which was referred Assembly Joint Resolution No. 12—Relative to swamp and overflowed lands—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, without recommendation.

WALTER, Chairman.

Mr. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 90—An Act defining and prescribing punishments of vagrants—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate and recommend its passage. Also, that an amendment be made thereto by the addition of one section.

MOTIONS AND RESOLUTIONS.

By Mr. Stevenson:

Resolved, That when a motion is carried to lay on the table, a majority vote only shall be necessary to take it up.

Mr. Stevenson moved the adoption of the resolution.

Carried.

Mr. Phelan moved that the special order for to-day, at twelve o'clock M., be postponed until twelve o'clock M., Tuesday next.

Carried.

Mr. McBeth moved that Assembly Bill No. 13 be taken from the table and placed on General File.

The yeas and nays were called for by Messrs. Varian, Cassidy, and Stevenson, and the motion carried by the following vote:

YEAS—Messrs. Campbell, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Mills, McBeth, Phelan, Thompson, Walter, and Wilson—13.

NAYS—Messrs. Cassidy, Clapp, Davenport, Lockwood, McCoy, McClinton, Moore, Small, Stevenson, and Varian—10.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 6th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 29—entitled "An Act for the government and maintenance of the State Orphans' Home—which passed the Assembly this day: Yeas, 47; nays, none.

Also, Assembly Bill No. 38—entitled An Act for the relief of E. Persich—which passed the Assembly this day by the following vote: Yeas, 26; nays, 20.

Also, Assembly Bill No. 39—entitled An Act for the relief of the widow of Matthew Pixley—the same having passed the Assembly by the following vote: Yeas, 30; nays, 16.

Also, Assembly Bill No. 42—entitled An Act for the relief of the Imperial Silver Mining Company—the same having passed the Assembly by the following vote: Yeas, 32; nays, 14.

Also, Assembly Bill No. 44—entitled An Act to amend an Act entitled An Act to provide for the registration of the names of electors and to prevent fraud at elections—the same having passed the Assembly: Yeas, 44; nays, 2.

Also, so return to you Substitute for Senate Joint Resolution No. 36—Relative to public lands in the State of Nevada—which passed the Assembly: Yeas, 42; nays, 4.

Also, Senate Bill No. 74—entitled An Act authorizing the School Trustees of School District No. 1, Ormsby County, to issue warrants to cover certain indebtedness for building a school house in said district—which passed the Assembly: Yeas, 46; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

NOTICES.

By Mr. Moore: That he will, on some future day, introduce a bill for An Act to fund certain indebtedness of Elko County.

By Mr. Phelan: That he will, on some future day, introduce a bill for An Act to regulate the granting of pardons to convicts confined in the State Prison.

INTRODUCTION OF BILLS.

Mr. Clapp, by leave and without previous notice, [introduced Senate Bill No. 126]—An Act supplementary to an Act entitled "An Act to redistrict the State of Nevada," [approved February twenty-seventh, eighteen hundred and sixty-nine.]

Mr. Clapp moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Lincoln County delegation.

Carried.

Assembly Bill No. 44—An Act to amend an Act entitled "An Act to provide for the registration of the names of electors and to prevent fraud at elections."

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended, the bill read the second time by title, and referred to the Committee on Elections.

Mr. Stevenson moved to amend by referring to the Committee on Judiciary.

Amendment accepted.

Mr. McClinton moved to refer to Committee on Elections.

Mr. Cleveland rose to a point of order, that Mr. Moore had already spoken twice on the subject.

Ruled not well taken.

Mr. Cleveland moved, as a substitute, to refer to Committee on Ways and Means.

Mr. Moore rose to a point of order, that the substitute motion had not been recognized by the Chair, and, per consequence, was not debatable.

Ruled well taken.

Mr. McClinton called for the reading of the bill.

Bill read by the Secretary.

Mr. Lockwood moved to refer the bill to the Committee of the Whole.

Motion ruled out of order.

Mr. Stevenson appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the decision of the Senate?" was put and lost.

Assembly Bill No. 42—An Act for the relief of the Imperial Silver Mining Company.

Mr. Mills moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on State Affairs.

Carried.

Assembly Bill No. 39—An Act for the relief of the widow of Matthew Pixley.

Read first time.

Mr. Cleveland moved that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

Assembly Bill No. 38—An Act for the relief of E. Perasich.

Mr. Cassidy moved that the reading had be considered the first reading of the bill; the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

Assembly Bill No. 29—An Act for the government and maintenance of the State Orphans' Home.

Mr. Mills moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on State Affairs.

Carried.

GENERAL FILE.

Senate Bill No. 72—An Act to consolidate and fund the indebtedness of Lincoln County.

Mr. Wilson moved to refer to a special committee of one, with instructions to amend by inserting the following: "*Provided*, There shall be left in the Treasury a sufficient amount to defray the current expenses of said county for the six months next ensuing."

Carried.

The President appointed Mr. Wilson as such committee, who reported the bill amended, as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22:

NAYS—None.

Senate Bill No. 32—An Act to amend an Act entitled "An Act to re-district the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine.

Mr. Eastman moved to refer the bill to a committee of one, with instructions to amend by striking out "Third" and inserting "Second," before the words "Judicial District."

Carried.

The President appointed Mr. Eastman as such committee, who reported the bill amended, as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAYS—None.

Senate Bill No. 80—An Act to amend section twenty-nine of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," as amended by section one of an Act approved March first, eighteen hundred and seventy-one.

Placed on third reading.

Pending which, Mr. Cleveland moved that the Senate take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; all present.

Reading of Senate Bill No. 80 resumed.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, East-

man, Fox, Hazlett, Hill, McClinton, McBeth, Small, Thompson, Walter, and Wilson—15.

NAYS—Messrs. Crawford, McCoy, Mills, Moore, Phelan, Stevenson, and Varian—7.

Assembly Joint Resolution No. 12—Relative to swamp and overflowed lands.

Mr. Moore moved that the resolution be placed at the foot of the File. Carried.

Senate Bill No. 90—An Act defining who are vagrants and prescribing punishment for vagrancy.

On motion, the amendment recommended by the Committee on Public Morals was adopted, and the bill ordered engrossed.

Substitute for Senate Bill No. 39—An Act concerning juries.

Mr. Mills moved that the substitute bill be placed on its first reading. Carried.

Mr. Mills moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

By Mr. Phelan, on leave:

Resolved, That when the Senate adjourn, it adjourn until Monday, February tenth.

Adopted.

REPORT OF COMMITTEE ON ENGROSSMENT.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 54—entitled an Act to define the duties and liabilities of pawnbrokers and pledgees;

Also, Senate Memorial and Concurrent Resolution No. 57—Relative to coal lands in the State of Nevada;

Also, Senate Bill No. 97—An Act to require Assessors to pay over to the County Treasurers, monthly, all poll taxes collected;

With the original copies thereof, and find them correctly engrossed.

T. S. DAVENPORT,
ROBERT MCBETH,
Committee.

• Assembly Bill No. 39—An Act for the relief of the widow of Matthew Pixley.

Mr. Stevenson moved that the Senate go into Committee of the Whole for the consideration of the General File.

Carried.

Mr. Stevenson in the chair.

In time, the committee rose, and submitted the following report:

Mr. PRESIDENT: The Committee of the Whole have had under consideration the following bills: Assembly Bill No. 39—An Act for the relief of the widow of Matthew Pixley—recommend that it do pass.

Also, Assembly Bill No. 38—An Act for the relief of E. Perasich— which they recommend be referred to the Committee on Claims.

Also, Assembly Bill No. 44—An Act to amend an Act entitled "An Act to provide for the registration of the names of electors, and to prevent fraud at elections," approved March fifth, eighteen hundred and sixty-nine—which they recommend be referred to Committee on Judiciary.

Also, Senate Bill No. 97—An Act requiring Assessors to pay over to the County Treasurers, monthly, all poll taxes collected—which they recommend that it do pass.

Also, Senate Bill No. 54—An Act to define the duties and liabilities of pawnbrokers and pledgees—which the committee have amended and recommend the bill pass as amended.

Also, Senate Concurrent Resolution No. 57—Relative to coal lands in the State of Nevada—which they recommend the passage of.

Also, Substitute for Senate Bill No. 39—An Act concerning juries—which they recommend be laid on the table.

Also, Senate Bill No. 18—An Act to amend "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine—which the committee recommend do pass.

C. C. STEVENSON, Chairman.

Senate Bill No. 18—An Act to amend "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

Read third time, and lost by the following vote:

YEAS—Messrs. Campbell, Cassidy, Crawford, Fox, Hazlett, Hill, McCoy, McClinton, Phelan, Thompson, and Walter—11.

NAYS—Messrs. Clapp, Eastman, Mills, Small, Stevenson, and Wilson—6.

Mr. Eastman gave notice that he would, on Monday next, move a reconsideration of the vote whereby the above bill was lost.

Senate Bill No. 97—An Act to require Assessors to pay over to the County Treasurers, monthly, all [poll] taxes collected.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, McCoy, McClinton, Mills, Moore, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—19.

NAYS—None.

MR. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 24—An Act concerning official bonds of Justices of the Peace and Constables—has been carefully compared with the engrossed bill, found correctly enrolled, and has this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

Senate Bill No. 54—An Act to define the duties and liabilities of pawnbrokers and pledgees.

On motion, the amendments of the Committee of the Whole were adopted.

Mr. Lockwood moved to refer to a special committee of one, with instructions to strike out section three.

Lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McCoy, McClinton, Mills, Moore, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAY—Mr. Lockwood—1.

Senate Joint Memorial and Concurrent Resolution No. 57—Relative to coal lands in the State of Nevada.

Roll called, and resolution passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—None.

Substitute for Senate Bill No. 39—An Act concerning juries.

Mr. Phelan moved to lay the bill on the table.

Carried.

Mr. Phelan moved to adjourn.

Carried.

So, at four o'clock P. M., the Senate adjourned until Monday, February tenth, eighteen hundred and seventy-three.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—THIRTY-SIXTH DAY.

CARSON CITY, February 10th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

Absent—Messrs. Phelan and Hobart—2.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of Friday read and approved.

Mr. Stevenson asked leave of absence for Mr. Phelan for the day.

Leave granted.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Standing Committee on Judiciary, to which was referred Senate Bill No. 92—entitled An Act to amend an Act entitled An Act concerning crimes and punishments—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with amendments, and recommend its passage as amended.

Also, Senate Bill No. 124—entitled An Act to amend an Act relating to Sheriffs—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate without recommendation.

Also, Senate Bill No. 85—entitled An Act to apportion the payment of the salary of the District Judge of the Fifth District—report that they have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend its passage.

Also, Senate Bill No. 114—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases"—report that they have directed their Chairman to report the same to the Senate, with the request that it be ordered printed, and re-referred to the Judiciary Committee.

Also, Senate Bill No. 108—entitled "An Act for the payment of the salaries of District Attorneys of the several counties of this State"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend its passage.

Also, Senate Bill No. 77—entitled An Act to extend the legal condition of foreign corporations—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the accompanying substitute, and recommend the passage of the substitute.

Also, Senate Bill No. 119—An Act to amend an Act entitled "An Act to authorize a State loan"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate and recommend its passage.

Also, Senate Bill No. 118—An Act to amend an Act entitled "An Act to authorize a State loan"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate and recommend its passage.

W. W. McCOY, Chairman.

MR. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 71—entitled An Act for the better observance of the Christian Sabbath;

Also, Senate Bill No. 87—An Act to create a Board of Tax Commissioners, and define the duties thereof;

Also, Senate Bill No. 88—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one;

Also, Senate Bill No. 89—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of justice of the State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine;

Also, Senate Bill No. 93—An Act entitled "An Act in relation to public highways;"

Also, Senate Bill No. 94—An Act providing for the appointment and payment of an agent or agents at Washington City, D. C., for attending to the certification of lands granted by Congress to the State of Nevada;"

Also, Senate Bill No. 98—An Act to limit the compensation of County Auditors for extending the tax list on the assessment-roll;

Also, Substitute for Senate Concurrent Resolution No. 47—Relative to Central Pacific Railroad Company's obtaining patents to land;

With the original copies thereof, and find them correctly engrossed.

T. S. DAVENPORT,
ROBT. McBETH,
Committee.

Mr. PRESIDENT: Your Standing Committee on Supplies and Expenditures have had under consideration certain bills against the Sergeant-at-Arms of the Senate, to wit:

Bill of E. D. Sweeney, for water furnished for the Senate for thirty days.....	\$60 00
Bill of O. P. Willis, for articles furnished for Sergeant-at-Arms' room.....	6 25
[Bill of Sheyer & Morris, for articles furnished Sergeant-at-Arms' room	10 00]
Bill of C. H. Maish, for door knobs.....	3 00
Bill of Charles D. Meder, for President's desk, pigeon-hole top for Secretary's desk, top commode for Sergeant-at-Arms' room	85 00
Bill of Maxim Gas Company, for gas consumed in Senate chamber and hall—ten thousand feet, at seven dollars per one thousand feet.....	70 00

Your committee, having examined the merits of the above bills, report them correct, with the exception of the bill of E. D. Sweeney, for the sum of sixty dollars, for water. In the opinion of the committee this is an exorbitant charge, and they have approved the same, after deducting therefrom the sum of fifty dollars, and herewith report a resolution covering the amount of all the claims as approved by the committee.

C. H. EASTMAN, Chairman.

Resolved, That the Sergeant-at-Arms is hereby directed to draw his checks, to be paid from the Contingent Fund of the Senate, and in favor of the following named persons, to wit:

E. D. Sweeney, for the sum of ten dollars.....	\$10 00
O. P. Willis, for the sum of six dollars and twenty-five cents...	6 25
Sheyer & Morris, for the sum of ten dollars ..	10 00
C. H. Maish, for the sum of three dollars	3 00
Charles D. Meder, for the sum of eighty-five dollars.....	85 00
Maxim Gas Company, for the sum of seventy dollars	70 00

Adopted.

Mr. PRESIDENT: Your Committee on Counties and County Boundaries, to which was referred Senate Bill No. 91—entitled “An Act to fix the salary of the County Auditor of Nye County”—have had the same under consideration, and herewith report a substitute therefor, and recommend that the substitute do pass.

WM. HILL, Chairman.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 74—An Act authorizing the School Trustees of School District No. 1, Ormsby County, to issue warrants to cover certain indebtedness for building a school house in said district—has been carefully compared with the engrossed bill, found correctly enrolled, and has this day been handed to the Governor for his approval.

Also, report that Senate Joint Resolution No. 36 has been carefully compared with the engrossed copy, found correctly enrolled, and has been deposited with the Secretary of State.

A. J. LOCKWOOD, Chairman.

REPORT OF SELECT COMMITTEE.

Mr. McClinton, from select committee appointed to examine into matters appertaining to the Insane Asylum at Woodbridge, California, asked one day further in order to make his report.

MOTIONS AND RESOLUTIONS.

Mr. Varian asked leave of absence for the day.

Leave granted.

By Mr. McClinton:

Resolved, by the Senate, the Assembly concurring, That the joint committee appointed to examine the Bonnifield and Healy compilation of the laws of Nevada, be authorized to examine all compilations of the laws of the State which may be presented to the committee, and to report as to the comparative merit and value of such revisions or compilations.

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, McCoy, McClinton, Mills, McBeth, Small, Stevenson, Thompson, Walter, and Wilson—17.

NAYS—None.

By Mr. Eastman:

Resolved, That the Secretary of the Senate is hereby instructed to furnish each member of the Board of Regents with a copy of Concurrent Resolution requesting them to make a report of their action in regard to a State University.

Adopted.

By Mr. Hazlett: Senate Concurrent Resolution No. 132—Relative to printing the Report of the Surveyor General.

Roll called, and the resolution adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAYS—None.

By Mr. Hazlett:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to draw one thousand dollars from the Contingent Fund of the Senate, the same to be deposited by him with Wells, Fargo & Co., and disbursed for contingent expenses upon order of the Senate.

Adopted.

By Mr. McClinton:

Resolved, That the Committee on State Prison be and they are hereby directed to inquire and report to the Senate at what time the Biennial Report of the Warden of said Prison will be submitted to the Senate.

Adopted.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 10th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited with the Secretary of State, Senate Bill No. 24—"An Act concerning official bonds of Justices of the Peace and Constables."

L. R. BRADLEY.

Mr. Eastman, pursuant to notice, moved that the vote whereby Senate Bill No. 18 was lost, on Friday last, be reconsidered.

Roll called, with the following result:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Thompson, Varian, Walter, and Wilson—19.

NAYS—Messrs. Eastman, McBeth, Small, and Stevenson—4.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 7th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Substitute for Assembly Bill No. 3—entitled An Act to amend an Act entitled "An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," approved January tenth, eighteen hundred and sixty-five—which passed the Assembly this day by the following vote: Yeas, 41; nays, none.

Also, Senate Concurrent Resolution No. 125—Relative to granting leave of absence to J. W. Richards, Auditor of Churchill County—the same having passed the Assembly by the following vote: Yeas, 41; nays, 3.

Also, transmit to you Substitute for Assembly Bill No. 21—entitled An Act to provide for obtaining a correct statement of the financial condition of the several counties of this State, and other matters of statistical information—the same having passed the Assembly by: Yeas, 44; nays, 1.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

The following communication was received from the Secretary of State:

STATE OF NEVADA, OFFICE OF SECRETARY OF STATE, }
CARSON CITY, February 8th, 1873. }

To the honorable the Senate:

I have the honor to transmit herewith, claim of C. W. Friend for cleaning and repairing clock in Assembly Chamber, two dollars and fifty cents.

Very respectfully,

J. D. MINOR,
Secretary of State.

On motion, the bill was referred to the Committee on Claims.

NOTICES.

By Mr. Davenport: That he will, on some future day, introduce a bill for An Act to amend an Act entitled "An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties and to establish their pay."

By Mr. Moore: That he will, on some future day, introduce a bill for An Act to encourage the artificial cultivation of fish in the State of Nevada.

Mr. Walter moved that Senate Bill No. 85 be referred to the delegations from Nye and Churchill, with instructions to report to-morrow.

Carried.

INTRODUCTION OF BILLS.

Substitute for Senate Bill No. 21—An Act to provide for obtaining a correct statement of the financial condition of the several counties of this State, and other matters of statistical information.

Mr. Stevenson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee on Ways and Means.

Carried.

Mr. McBeth, without previous notice, introduced Senate Bill No. 134—An Act to provide for submitting the question of the removal of the county seat of Humboldt County to a vote of the qualified electors thereof.

Read first time.

Mr. McBeth moved that the rules be suspended; read the second time by title, and referred to Committee of the Whole.

Carried.

Mr. McClinton, without previous notice, introduced Senate Bill No. 135—An Act to define the time for levying and assessing taxes for State and county purposes.

Mr. McClinton moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

By Mr. Lockwood: Senate Concurrent Resolution No. 139—Relative to claim of Emanuel Penrod, for supplies furnished volunteers engaged in suppressing the Indian outbreak in this State in the year eighteen hundred and fifty-nine.

Mr. Lockwood moved that the reading had be declared the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on State Affairs.

Carried.

Mr. Mills, without previous notice, introduced Senate Bill No. 136—An Act to amend an Act entitled "An Act to encourage the construction of a railroad in the eastern portion of the State of Nevada," approved February twenty-first, eighteen hundred and seventy-one.

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended, the bill read the second time by title, and referred to the Committee on Railroads and Internal Improvements, and two hundred and forty copies ordered printed.

Carried.

Mr. Eastman, without previous notice, introduced Senate Bill No. 137—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act relative to attorneys and counselors at law,'" approved March fourth, eighteen hundred and seventy-one.

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Cassidy, by leave, without previous notice, introduced Senate Bill No. 138—An Act to consolidate the offices of Lieutenant Governor and State Librarian.

Read first time.

Mr. Cassidy moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on State Affairs.

Carried.

Substitute for Senate Bill No. 77—An Act concerning the right of possession of property in the State of Nevada.

Read first time.

Mr. McCoy moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Substitute for Senate Bill No. 91—An Act to regulate the salaries of County Auditors.

Mr. Hill moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

Senate Bill No. 38—An Act for the relief of E. Perasich.

On motion, referred to the Committee on Claims.

Assembly Bill No. 44—An Act to amend an Act entitled "An Act to provide for the registration of the names of electors and to prevent fraud at elections."

On motion, referred to Committee on Judiciary.

GENERAL FILE.

Assembly Bill No. 39—An Act for the relief of the widow of Matthew Pixley.

Mr. Cleveland moved a call of the Senate.

Roll called; full Senate present.

Mr. Thompson moved that further proceedings under call be dispensed with.

Carried.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Moore, McBeth, Phelan, Thompson, Walter, and Wilson—18.

NAYS—Messrs. Eastman, Mills, Small, and Stevenson—4.

Mr. Lockwood gave notice that he would, on to-morrow, move a reconsideration of the vote whereby the above bill passed.

Senate Bill No. 18—An Act to amend "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Phelan, Thompson, Walter, and Wilson—16.

NAYS—Messrs. Eastman, Fox, Moore, McBeth, Small, and Stevenson—6.

Assembly Joint Resolution No. 12—Relative to swamp and overflowed lands.

Mr. Moore moved that the resolution be made the special order for Thursday, at twelve o'clock M.

Carried.

Mr. Stevenson moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—19.

Absent—Messrs. Cassidy, Cleveland, and Moore—3.

Substitute for Senate Concurrent Resolution No. 47—Relative to Central Pacific Railroad Company obtaining patents to lands.

Mr. Davenport moved to re-refer the resolution to Committee on State Affairs.

Mr. Thompson rose to a point of order, that the resolution was on its final passage, and could not be referred to a standing committee.

Ruled not well taken.

Mr. Mills moved to amend by referring to Committee on Public Lands.

Mr. Hill moved to further amend by instructing the committee to report on Wednesday next.

Mr. Cleveland moved, as a substitute, to instruct the committee to report at their earliest convenience.

The yeas and nays were called for on the question by Messrs. Cleveland, Mills, and Small, and carried with the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—22.

NAYS—None.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 90—entitled An Act defining who are vagrants, and prescribing punishment for vagrancy;

Also, Senate Bill No. 101—entitled "An Act for the relief of T. A. Waterman, for time occupied and expenses incurred in the organization of Elko County;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBT. MCBETH,
Committee.

Senate Bill No. 94—An Act providing for the appointment and payment of an agent or agents at Washington City, D. C., for attending to the certification of lands granted by Congress to the State of Nevada.

Mr. Lockwood rose to a point of order that the bill had not been referred to Committee of the Whole.

Ruled well taken.

On motion, the bill was referred to Committee of the Whole.

Senate Bill No. 71—"An Act for the better observance of the Christian Sabbath."

Mr. Mills moved that the bill be referred to a special committee of one, with instructions to strike out section two of the bill.

Withdrawn.

Mr. Lockwood moved to refer to special committee of one, with instructions to insert a provision for penalty, and report at eleven o'clock and thirty minutes on Tuesday.

Carried.

Mr. Lockwood was appointed as such committee.

Senate Bill No. 98—An Act to limit the compensation of County Auditors for extending the tax list on the assessment roll.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McCoy, McClinton, Mills, McBeth, Stevenson, Thompson, Walter, and Wilson—16.

NAYS—None.

Senate Bill No. 89—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McCoy, McClinton, Moore, Phelan, Stevenson, Thompson, and Walter—17.

NAY—Mr. Mills—1.

Mr. McClinton gave notice that he would, on to-morrow, move a reconsideration of the vote by which the bill passed.

RESOLUTIONS.

By Mr. Cassidy, on leave:

Resolved, by the Senate, the Assembly concurring, That the Sergeant-at-Arms of the Senate be directed to have a substantial plank walk laid from the front porch of the Capitol to Carson street, the cost of the same to be paid in equal proportions out of the Contingent Funds of the two Houses.

Adopted.

By Mr. Cleveland, on leave:

Resolved, That the Committee on Railroads and Internal Improvements is hereby authorized to employ a clerk.

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Fox,

Hazlett, Hill, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Walter—18.

NAYS—Messrs. Davenport and Eastman—2.

Mr. Phelan moved to adjourn.

Lost.

COMMUNICATION FROM THE SECRETARY OF STATE.

STATE OF NEVADA, OFFICE OF SECRETARY OF STATE, }
CARSON CITY, February 10th, 1873. }

To the honorable the Senate:

I have the honor to transmit herewith the claim of J. B. Helm, Sheriff of Esmeralda County, for the sum of two thousand two hundred and fifty-one dollars.

Very respectfully,

J. D. MINOR,
Secretary of State.

Mr. McClinton moved that the claim be referred to the Committee on Claims.

Carried.

Assembly Bill No. 88—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November third, eighteen hundred and sixty-one.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Walter—21.

NAYS—None.

Assembly Bill No. 87—An Act to create a Board of Tax Commissioners and define the duties thereof.

Mr. McClinton moved to adjourn.

Lost.

Mr. McClinton moved to refer Senate Bill No. 87 to a special committee of one, with instructions to strike out the words "second Monday in April," and insert the words "shall immediately."

Carried.

Mr. McClinton was appointed as such committee, who reported the amendment made, as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—20.

NAYS—None.

Mr. McBeth moved to adjourn.

Lost.

Mr. Phelan moved to take a recess.

Ruled out of order.

Mr. McClinton moved to adjourn.

Ruled not in order.

Mr. Phelan appealed from the decision of the Chair.

The question being: "Shall the decision of the Chair stand as the decision of the Senate?" the roll was called and the Chair sustained by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—20.

NAYS—Messrs. Cassidy and Davenport—2.

Mr. McBeth moved to adjourn.

Carried.

So, at four o'clock and twenty minutes P. M., Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—THIRTY-SEVENTH DAY.

CARSON CITY, February 11th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Claims, to which was referred the claim of Francis S. Armistead for services rendered in capturing escaped convicts, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate.

Also, introduce An Act for the relief of Francis S. Armistead, and recommend that it do pass.

Also, the claims of James Sackett for portorage, and for cutting sixty-one and one half cords of wood, amounting in the aggregate to ninety-one dollars and thirty seven and a half cents, which they have come to a favorable conclusion on, and have directed their Chairman to report the same to the Senate, with the accompanying resolution directing the payment of the same.

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate, in favor of James Sackett, for the sum of ninety-one dollars and thirty-seven and a half cents (\$91 37½.)

JAMES PHELAN,
Chairman of Committee on Claims.

Mr. Phelan moved the adoption of the resolution.
Carried.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 23—entitled An Act in relation to the sureties on the official bond of Eben Rhoades, late State Treasurer of the State of Nevada;

Also, Substitute for Senate Bill No. 77—An Act concerning the right of possession of property in the State of Nevada;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,
Committee.

Mr. PRESIDENT: Your Committee on Mines and Mining, to which was referred Senate Bill No. 105—entitled An Act to amend an Act entitled "An Act providing for the taxation of the net proceeds of mines"—have had the same under consideration, and respectfully report the same back to the Senate, with the recommendation that it do pass.

ROBT. McBETH, Chairman.

Mr. PRESIDENT: The Committee on Ways and Means have had under consideration Senate Bill No. 99—"An Act to appropriate funds for the preparation and publication of the eighth and ninth volumes of the Nevada Reports"—report that they have come to a favorable conclusion thereon, and recommend the bill do pass.

J. C. HAZLETT, Chairman.

Mr. PRESIDENT: The Committee on Ways and Means have had under consideration Senate Bill No. 100—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five;

Also, Senate Bill No. 25—An Act to amend section three of an Act entitled "An Act to provide for the registration of the names of electors, and to prevent fraud at elections," approved March fifth, eighteen hundred and sixty-nine;

And have come to an unfavorable conclusion thereon, and recommend that each of said bills do not pass.

Also, Senate Bill No. 95—An Act to amend an Act entitled "An Act to create the office of State Mineralogist, and define the duties of such officer," approved March first, eighteen hundred and sixty-nine—report that they have had the same under consideration, and propose the following amendments thereto, to wit: First—Add to section one the following proviso: "*Provided*, such compensation shall not exceed the sum of six hundred dollars per annum." Second—Strike out section three; and the committee recommend the passage of the bill as thus amended.

J. C. HAZLETT, Chairman.

REPORTS OF SPECIAL COMMITTEES.

Mr. Mills reported that the committee appointed to ascertain at what time the Report of the Warden of the State Prison would appear, had ascertained that said report would be furnished this present week.

Messrs. Hill and Walter, from special committee of Nye and Churchill Counties, to which was referred Senate Bill No. 85, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the following amendments: To section one, in line second, after the word "shall," strike out "eight" and insert "fourteen." In line seven, strike out "twenty-eight" and insert "twenty-two," making the section read as follows:

"SECTION 1. Hereafter Churchill County shall pay fourteen hundred dollars of the salary of the District Judge of the Fifth Judicial District, comprising Churchill and Nye Counties, and Nye County shall pay twenty-two hundred dollars thereof."

To the honorable the Legislature of the State of Nevada:

Your joint committee of the Senate and Assembly, appointed to visit the Insane Asylum of Woodbridge, California, for the purpose of reporting upon the condition and management of the same, have performed the duty assigned them, and respectfully submit the following report:

Your committee made free use of the authority granted them to send for persons, administer oaths, etc.; and after a thorough inspection of the asylum in all its various departments, and a patient and critical examination of the records of the institution, and of credible witnesses, under oath, we found the asylum in good condition, and the patients therein well cared for.

The institution is admirably located in a quiet, romantic, and beautiful village, on the south bank of the Mokelumne River, and only a half hour's ride by rail from the City of Stockton. The building is commodious, secure, well furnished, thoroughly warmed and ventilated, and is kept scrupulously, even fastidiously, clean; in short, this building, originally built and used for a very different purpose, has, by the liberality and energy of the owners, Drs. Langdon and Clarke, been altered and admirably adapted to the care and comfort of the unfortunate wards of the State now confined therein. There are thirty-nine State patients in the asylum. These patients were all found neatly and comfortably

clad, in good health, with the exception of a few, who were suffering from maladies purely incidental to their mental condition.

Your committee were informed by Drs. Langdon and Clarke that they have facilities for the accommodation of about fifteen patients in addition to the number already in their charge; and those gentlemen also assured your committee, that whenever the comfort and proper treatment of an increased number of patients should require it, they would immediately erect additions to their asylum and grounds sufficient to meet all probably emergencies.

Your committee became fully satisfied, from the examination of credible witnesses, that the present contractors, Drs. Langdon and Clarke, are faithful in the performance of their duties.

Your committee also found Dr. A. Trafton, who resides at the asylum and visits the patients daily, to be a physician of extensive experience and high standing in the medical profession, and well qualified to discharge the responsible duties of his position.

Your committee report, further, that the contract under which the insane of this State are being cared for will expire by limitation in July next, and that provision should be made at this session of the Legislature for their maintenance and care during the succeeding two years.

Your committee cannot justly conclude this report without recording their acknowledgment of the many courtesies received at the hands of Drs. Langdon, Clarke, and Trafton, and of the readiness of those gentlemen to afford us every facility in their power necessary to make our investigation thorough and complete. Our thanks are also due, in an equal degree, to Superintendent Gravott, for his many acts of kindness and hospitality.

All of which is most respectfully submitted.

JOHN BOWMAN,
J. G. McCLINTON,
Committee.

INTRODUCTION OF BILLS.

Mr. Phelan, from Committee on Claims, by leave and without previous notice, introduced Senate Bill No. 141—An Act for the relief of Francis S. Armistead.

Read first time.

Mr. Phelan moved that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

Mr. Phelan, without previous notice, introduced Senate Bill No. 142—An Act to amend an Act entitled "An Act to restrict gaming," passed March fourth, eighteen hundred and sixty-nine.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Hazlett, without previous notice, introduced Senate Bill No. 143—An Act to provide for the taxation of borax and soda mines and claims.

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means, and two hundred and forty copies ordered printed.

Carried.

By Mr. Phelan, on leave:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby directed to draw his check in favor of Hon. J. G. McClinton, for the sum of sixty-one dollars, for expenses incurred in visiting and examining the Insane Asylum at Woodbridge, California.

Mr. Crawford moved to amend, by inserting "Said warrant to be drawn on the Contingent Fund of the Senate."

Adopted as amended.

By Mr. Phelan:

Resolved, by the Senate, the Assembly concurring, That four hundred and eighty copies of the report of the joint committee appointed to visit the Insane Asylum, be ordered printed.

Roll called, and the resolution adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, and Varian—21.

NAY—Mr. Walter—1.

NOTICE.

By Mr. Cleveland: The Committee on Railroads and Internal Improvements have this day appointed J. C. Leconey clerk of said committee.

GENERAL FILE.

Senate Bill No. 93—An Act entitled An Act in relation to public highways.

Mr. Thompson moved that the bill be referred to a special committee of one, with instructions to strike out in section nine, the words "two days" and insert "one."

Lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, Moore, McBeth, Small, Stevenson, Varian, and Walter—18.

NAYS—Messrs. Cleveland, Fox, and Thompson—3.

SPECIAL ORDER.

Senate Bill No. 68—An Act making appropriations for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years.

Mr. Cleveland moved that the bill be made the special order for Friday, at twelve o'clock M.

Mr. Cassidy moved that the Senate go into Committee of the Whole for the consideration of Senate Bill No. 68.

Carried.

President pro tem. in the chair.

In time, the committee rose, reported progress, and asked leave to sit again.

Leave granted.

Mr. Phelan moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President in the chair.

Roll called; full Senate present.

SPECIAL ORDER.

Assembly Bill No. 13—An Act to remove the county seat of Humboldt County.

Mr. Lockwood, by leave, made his report as special committee of one appointed to amend Senate Bill No. 71, recommended that said amendments be adopted, and the bill ordered reëngrossed.

On motion, amendments adopted and ordered reëngrossed.

Mr. McClinton, by leave, according to previous notice, moved for a reconsideration of the vote by which Senate Bill No. 89 was passed.

Carried, and vote reconsidered, and bill placed on General File.

Special order—Assembly Bill No. 13—taken up.

Messrs. Varian and McBeth argued at length on the merits of the bill.

Mr. McBeth moved to adjourn.

Mr. Moore moved a call of the Senate.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. McClinton—1.

Mr. McClinton appearing at the bar of the Senate, was, on motion of Mr. Small, admitted to his seat.

Roll called on Mr. McBeth's motion to adjourn, and motion lost by the following vote:

YEAS—Messrs. Cleveland, Crawford, Eastman, Hill, Mills, and McBeth—6.

NAYS—Messrs. Campbell, Cassidy, Clapp, Davenport, Fox, Hazlett, Hobart, McCoy, McClinton, Moore, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—18.

Mr. Moore moved the previous question.

Roll called, and previous question sustained by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Fox, Hazlett, Hobart, McCoy, Moore, Small, Thompson, and Varian—13.

NAYS—Messrs. Cleveland, Eastman, Hill, Lockwood, McClinton, McBeth, Phelan, Stevenson, Walter, and Wilson—11.

Roll called, and Assembly Bill No. 13 passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Fox,

Hazlett, Hobart, Lockwood, McCoy, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Varian—18.

NAYS—Messrs. Cleveland, Eastman, Hill, Mills, Walter, and Wilson—6.

Mr. Lockwood moved to adjourn.

Carried.

So, at four o'clock and twenty minutes, the Senate adjourned.

Approved: FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

IN SENATE—THIRTY-EIGHTH DAY.

CARSON CITY, February 12th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

Mr. Cleveland asked leave of absence for one hour.

Leave granted.

Mr. Moore asked leave of absence for two hours.

Leave granted.

Mr. McBeth asked leave to have his vote on Assembly Bill No. 13, passed on yesterday, [changed] from "yea" to "nay."

Leave granted.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 71—entitled An Act for the better observance of the Christian Sabbath—with the original copy thereof, and find it correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,
Committee.

Mr. PRESIDENT: Your Standing Committee on Public Lands, to which was referred Substitute for Senate Concurrent Resolution No. 47—Relative to Central Pacific Railroad Company obtaining patents to lands—report that they have had the same under consideration, have made amendments thereto, and have directed their Chairman to report the same to the Senate, and recommend that it do pass as amended.

Mr. PRESIDENT: Your Standing Committee on the Judiciary, to which was referred Assembly Bill No. 44—entitled An Act to amend an Act entitled "An Act to provide for the registration of the names of voters"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate and recommend its passage.

Also, Senate Bill No. 137—entitled An Act to amend "An Act in relation to attorneys"—report that they have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate with amendments, and recommend its passage as amended.

Also, Senate Bill No. 102—entitled An Act to amend an Act entitled "An Act to regulate fees and compensation for official services"—which they report back to the Senate, and recommend that it be referred to the Committee of the Whole.

W. W. McCOY, Chairman.

REPORT OF SELECT COMMITTEE.

Mr. PRESIDENT: Your special committee consisting of the Washoe delegation, to whom was referred Senate Bill No. 115—entitled An Act to fund the hospital debt of Washoe County, and provide for the payment of the same—report that they have had the same under consideration, have come to a favorable conclusion thereon, and return the same to the Senate and recommend its passage.

Also, Senate Bill No. 116—An Act to provide for the transfer of certain money from the Building Fund to the Indigent Sick Fund and other Funds of Washoe County—have considered the same, and come to an unfavorable conclusion thereon, and report a substitute therefor, and recommend the passage of the substitute.

C. H. EASTMAN,
WILLIAM THOMPSON,
Committee.

MOTIONS AND RESOLUTIONS.

By Mr. Stevenson:

Resolved, That the Committee on Printing be requested to inquire into the delay of the printing of the Report of the Superintendent of Public Instruction, and report to the Senate at an early day.

Mr. Stevenson moved the adoption of the resolution.

Carried.

By Mr. Eastman: Senate Concurrent Resolution No. 146—Relative to leave of absence for John S. Shoemaker, County Clerk of Washoe County.

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—19.

NAYS—None.

MESSAGES FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 11th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited with the Secretary of State, Senate Substitute for Assembly Bill No. 3—An Act to amend "An Act to create the office of State Printer and to define the duties and compensation thereof, and to provide for the time and manner of election," approved January tenth, eighteen hundred and sixty-five.

L. R. BRADLEY.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 11th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited with the Secretary of State, Senate Bill No. 74—"An Act authorizing the School Trustees of School District No. 1, of Ormsby County, to issue warrants to cover certain indebtedness for building a school house in said district."

L. R. BRADLEY.

Mr. McBeth asked leave of absence for Mr. Varian for the day.
Leave granted.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 11th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Concurrent Resolution No. 132—Relative to printing Report of Surveyor General—which passed the Assembly: Yeas, 39; nays, 1.

Also, Senate Concurrent Resolution No. 140—Relative to having a walk laid from the front porch of the Capitol to Carson street—which failed to pass the Assembly: Yeas, 18; nays, 24.

Also, transmit, for the consideration of your honorable body, Assembly Bill No. 32—entitled An Act concerning the terms of Court in the several judicial districts of this State—which passed the Assembly: Yeas, 33; nays, 6.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 10th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Concurrent Resolution No. 15—Relative to granting leave of absence to Frank Owen, District Attorney of Nye County—which passed the Assembly: Yeas, 35; nays, 6.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

Assembly Concurrent Resolution No. 15—Relative to granting leave of absence to Frank Owen, District Attorney of Nye County.

Roll called, and resolution passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Eastman, Fox, Hill, Hobart, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—15.

NAYS—None.

NOTICE.

By Mr. Walter: That he will, on some future day, introduce a bill for An Act relating to the Secretary of State, and defining his duties.

INTRODUCTION OF BILLS.

Mr. Phelan, in accordance with previous notice, introduced Senate Bill No. 148—An Act to provide for fostering and supporting the Nevada Orphan Asylum, a duly incorporated benevolent institution, located at Virginia City, Nevada.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

Mr. Thompson, by leave and without previous notice, introduced Senate Bill No. 149—An Act to place in the method of government, arising under passes, free in this State.

Mr. Thompson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Substitute for Senate Bill No. 116, reported by Washoe delegation, An Act to provide for transferring and replacing money of certain Fund of Washoe County.

Read first time.

Mr. Eastman moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Hazlett moved that the Senate resolve itself into Committee of the Whole, for consideration of Senate Bill No. 68.

Carried.

In time, the committee rose, and presented the following report:

Mr. PRESIDENT: The Committee of the Whole have had under consideration Senate Bill No. 68—An Act making appropriations for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years—to which they propose the following amendments: In printed bill, line twenty-three, strike out the word "five" and insert "three." Strike out from line twenty-six to line thirty, inclusive, and insert "For the purpose of purchasing or procuring and bringing water into the Capitol grounds and building, and the construction of two substantial cisterns for the preservation of said building from fire, draining the basement of said building, fencing, plowing, laying off and beautifying, and for curbing the carriage-ways and walks in said grounds, ten thousand dollars, to be expended under the supervision and direction of the State Prison Commissioners; and the said Board are hereby authorized and directed to use such prison labor as may be necessary to prepare all curbing required, and perform all manual labor necessary to accomplish the object of this appropriation." In line thirty-six of printed bill, strike out the words "four hundred." In line forty-three strike out the words "four hundred." Insert between lines fifty-five and fifty-six, "For the purpose of purchasing valuable and rare specimens, found in Nevada, for the use of the State, one thousand dollars." In paragraph in regard to Orphans' Home, insert the word "five" between the words "twenty" and "thousand." Add to end of line sixty-eight, the words "and for the procurement of a suitable library for the use of the convicts therein, one thousand dollars." Also, add sections two and three. Insert between lines eight and nine of printed bill, "For services of Attorney General, as Director of State Library, two thousand dollars." The committee report the bill back to the Senate with the amendments, and recommend its passage as amended.

Mr. Varian moved to take a recess until three o'clock p. m.

Carried.

Senate met at three o'clock p. m.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Moore, McBeth, Phelan, Small, Thompson, Walter, and Wilson—20.

Absent—Messrs. Cleveland, Mills, Stevenson, and Varian—4.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Concurrent Resolution No. 125;

Also, Senate Substitute for Assembly Bill No. 3—An Act to amend an Act entitled "An Act to create the office of State Printer, define the duties and compensation thereof, and provide for the time and manner of election," approved January tenth, eighteen hundred and sixty-five;

Have been carefully compared with the engrossed resolution and bill; found correctly enrolled; the resolution deposited with the Secretary of State, and the bill handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

By **Mr. Phelan**, on leave:

Resolved, That the Sergeant-at-Arms be and is hereby authorized to

draw his warrant on the Contingent Fund of the Senate for the sum of twenty-six dollars, in favor of the Chairman of Committee on Claims, for compensation of messenger and witness.

Adopted.

By Mr. McClinton, on leave: Senate Concurrent Resolution No. 149—Relative to the State Printer furnishing printed bills.

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—18.

NAYS—None.

GENERAL FILE.

Senate Bill No. 90—An Act defining who are vagrants and prescribing punishment for vagrancy.

Mr. Small moved that the bill be placed at the foot of the File.

Carried.

Senate Bill No. 101—An Act for the relief of T. A. Waterman, for time occupied and expense incurred in the organization of Elko County.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

NAYS—None.

Senate Bill No. 68—An Act making appropriations for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years.

On motion, the amendments recommended by the Committee of the Whole were adopted seriatim, except amendment proposed in regard to purchase of specimens by State Mineralogist.

Mr. Stevenson moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 23—An Act in relation to the sureties on the official bond of Eben Rhoades, late State Treasurer of the State of Nevada.

Mr. McClinton moved that the bill be placed at the foot of the File.

Mr. Moore moved a call of the House.

Carried.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

Absent—Messrs. Hill and Lockwood—2.

Messrs. Lockwood and Hill appearing at the bar of the Senate, were, on motion, excused and permitted to take their seats.

Mr. Eastman moved that further proceedings under the call of the Senate be dispensed with.

Carried.

Roll called, and Senate Bill No. 23 passed by the following vote:

YEAS—Messrs. Campbell, Crawford, Davenport, Fox, Hazlett, Hobart, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Walter, and Wilson—16.

NAYS—Messrs. Cassidy, Clapp, Cleveland, Eastman, Hill, McClinton, Thompson, and Varian—8.

Mr. Stevenson moved to adjourn.

Carried.

So, at four o'clock and thirty-five minutes, the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—THIRTY-NINTH DAY.

CARSON CITY, February 13th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Absent—None.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Standing Committee on Claims, to which was referred Senate Bill No. 38—An Act for the relief of John B. Helm, Sheriff of Esmeralda County—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate with a recommendation that it be referred to the Committee of the Whole, and that it do pass.

Also, they have had under consideration the claim of Calvin Swift, for services rendered State Mineralogist, have come to a favorable conclusion thereon, and have directed their Chairman to present a bill for an Act for the relief of said Calvin Swift, with a recommendation that it be referred to the Committee of the Whole, and that it do pass.

Also, the following claims have been favorably considered by the com-

mittee; they have directed their Chairman to report the same to the Senate with the accompanying resolution, directing their payment from the Contingent Fund:

Geo. W. Fitzmeyer, for furniture furnished committee rooms	\$70 50
Charles Bray, for hauling wood.....	60 50
Chas. W. Friend, repairing clock.....	2 50
T. D. Edwards, rent of room for Engrossing Committee.....	26 00
Total	\$159 50

By Mr. Phelan, from Committee on Claims:

Resolved, That the Sergeant-at-Arms be authorized and directed to draw his warrant in favor of the persons herein named, to be paid out of the Contingent Fund of the Senate:

Geo. W. Fitzmeyer.....	\$70 50
Chas. Bray.....	60 50
Chas. W. Friend.....	2 50
T. D. Edwards.....	26 00

Adopted.

Messrs. Stevenson and Cleveland asked leave of absence for one hour each.

Leave granted.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 68—entitled An Act making appropriations for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years;

Also, Substitute for Senate Bill No. 116—An Act to provide for transferring and replacing money of certain Funds of Washoe County;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,
Committee.

Mr. Cassidy, from Committee on Printing, reported verbally concerning printing of bills.

Mr. PRESIDENT: Your Standing Committee on State Affairs, to which was referred Senate Concurrent Resolution No. 139—For the relief of E. Penrod—report that they have had the same under consideration, have come to no conclusion thereon, and have directed their Chairman to report the same to the Senate without recommendation.

Also, Senate Bill No. 138—entitled An Act to consolidate the offices of Lieutenant Governor and State Librarian—report that they have come to an unfavorable conclusion thereon, and have directed their

Chairman to report the same to the Senate, with the recommendation that it do not pass.

Also, Senate Bill No. 103—entitled "An Act to provide for the transportation of convicts and insane persons"—report that they have directed their Chairman to recommend that the bill be referred to the Committee of the Whole.

Also, Assembly Bill No. 29—entitled "An Act for the government and maintenance of the State Orphans' Home"—report that they have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with amendments, and recommend that it do pass as amended.

HOBART, Chairman.

REPORT OF SELECT COMMITTEE.

Mr. PRESIDENT: Your select committee, composed of the Lincoln County delegation, to whom was referred Senate Bill No. 126—An Act supplementary to an Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine—beg leave to report that the same has been duly considered, and its passage is recommended.

R. S. CLAPP,
JNO. R. WILSON.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 12th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Bill No. 97—entitled An Act to require Assessors to pay over to the County Treasurers, monthly, all poll taxes collected—which passed the Assembly: Yeas, 42; nays, none.

Also, Senate Bill No. 26—An Act providing for the government of the cities and towns of this State—which passed the Assembly: Yeas, 31; nays, 12.

Also, Senate Bill No. 80—entitled An Act to amend section twenty-nine of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," as amended by section one of an Act approved March first, eighteen hundred and seventy-one—which passed the Assembly: Yeas, 35; nay, 1.

Also, Senate Bill No. 72—entitled An Act to consolidate and fund the indebtedness of Lincoln County—which passed the Assembly: Yeas, 40; nays, none.

Also, transmit to your honorable body, for your consideration, Assembly Bill No. 56—entitled An Act to regulate the collection of taxes in disputed territory between counties—which passed the Assembly: Yeas, 41; nays, none.

Also, Senate Bill No. 87—entitled An Act to create a Board of Tax Commissioners and define the duties thereof, which was this day indefinitely postponed by the Assembly: Yeas, 31; nays, 8.

Also, Senate Bill No. 60—entitled An Act to amend an Act entitled

"An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County," approved January twenty-seventh, eighteen hundred and sixty-five—which was indefinitely postponed by the Assembly: Yeas, 42; nays, none.

Also, Senate Bill No. 81—An Act to incorporate the Ancient Order of Hibernians—which passed the Assembly: Yeas, 33; nays, 5.

Also, Senate Bill No. 15—entitled An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven," approved March third, eighteen hundred and sixty-nine—which passed the Assembly: Yeas, 33; nays, 6.

Also, Senate Bill No. 70—entitled An Act concerning the terms of Court in the Second Judicial District—which was indefinitely postponed by the Assembly: Yeas, 32; nays, 2.

Also, Substitute for Senate Concurrent Resolution No. 37—Relative to saline lands in the State of Nevada—which passed the Assembly: Yeas, 33; nays, 3.

Also, Senate Concurrent Resolution No. 144—Relative to printing report of special committee to visit insane asylum—which passed the Assembly: Yeas, 36; nays, none.

Also, Concurrent Resolution No. 145—Relative to joint committee examining compilations of laws—which passed the Assembly: Yeas, 42; nays, none.

I am also instructed by the Assembly to respectfully ask of your honorable body the return to them of Senate Bill No. 31.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

COMMUNICATION FROM SECRETARY OF STATE.

STATE OF NEVADA, OFFICE OF SECRETARY OF STATE, }
CARSON CITY, February 12th, 1873. }

To the honorable the Senate:

I have the honor to transmit herewith the claim of Edward Luban, for the sum of twelve hundred dollars, with the action of the Board of Examiners indorsed thereon.

Very respectfully,

J. D. MINOR,
Secretary of State.

Mr. Eastman moved that the communication and bill be referred to the Committee on Claims.

Carried.

INTRODUCTION OF BILLS.

Mr. Phelan, from Committee on Claims, and without previous notice, introduced Senate Bill No. 157—An Act for the relief of the California Institute for the Education of the Deaf, Dumb, and Blind.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

Mr. Phelan, without previous notice, introduced Senate Bill No. 152—An Act to provide for the payment of the claim of Calvin Swift.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

Mr. Cassidy, without previous notice, introduced Senate Bill No. 154—An Act to create and fix the compensation of the President of the Board of Directors of the State Library.

Read first time.

Mr. Cassidy moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Small, without previous notice, introduced Senate Bill No. 153—An Act concerning equitable claims and accounts against counties.

Mr. Small moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Thompson, without previous notice, introduced Senate Bill No. 155—An Act to provide for an insane asylum.

Mr. Thompson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Mr. Davenport moved to amend by referring to the Committee on State Affairs.

Carried.

Assembly Bill No. 56—An Act to regulate the collection of taxes in disputed territory between counties.

Read first time.

Mr. Walter moved that the rules be suspended; the bill read the second time by title, and referred to Committee on Counties and County Boundaries.

Carried.

Substitute for Senate Concurrent Resolution No. 47—Relative to the Central Pacific Railroad Company obtaining patents to lands.

Read first time.

Mr. Small moved that the rules be suspended; the resolution read the second time by title; the rules further suspended; the resolution considered engrossed, and placed on its third reading and final passage.

Mr. Crawford moved to amend by placing on General File.

Carried.

Senate Bill No. 38—An Act for the relief of John B. Helm, Sheriff of Esmeralda County.

Mr. Mills moved to refer to Committee of the Whole.

Carried.

Assembly Bill No. 32—An Act concerning the terms of Court in the several judicial districts of this State.

Mr. Eastman moved that the reading had be considered the first read-

ing of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

GENERAL FILE.

Senate Bill No. 115—An Act to fund the hospital debt of Washoe County, and provide for the payment of the same.

Mr. Eastman moved that the bill be ordered engrossed.

Carried.

Mr. Lockwood moved that Senate Bill No. 39 be taken from the table and referred to Committee of the Whole.

Carried.

SPECIAL ORDER.

Senate Bill No. 13—An Act to compel children to attend school.

On motion, the bill was placed at foot of File.

Assembly Joint Resolution No. 12—Relative to swamp and overflowed lands.

Mr. Lockwood moved that the Senate go into Committee of the Whole for the consideration of the General File.

Carried.

President pro tem in the chair.

In time, the committee rose, and reported as follows:

Mr. PRESIDENT: The Committee of the Whole have had under consideration Assembly Joint Resolution No. 12—Relative to swamp and overflowed lands—on which they report progress and ask leave to sit again.

Mr. Phelan moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; full Senate present.

Senate in Committee of the Whole.

In time, the committee rose, reported progress, and asked leave to sit again.

Leave granted.

Mr. Phelan moved to adjourn.

Carried.

So, at four o'clock and fifty minutes P. M., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FORTIETH DAY.

CARSON CITY, February 14th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 115—entitled An Act to fund the hospital debt of Washoe County, and provide for the payment of the same;

Also, Senate Bill No. 154—An Act to create and fix the compensation of the office of President of the Board of Directors of the State Library;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBT. MCBETH,
Committee.

Mr. PRESIDENT: Your Committee on State Affairs, to which was referred Senate Bill No. 155—entitled An Act to provide for an insane asylum—report that they have had the same under consideration, have come to an unfavorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the recommendation that it do not pass.

W. S. HOBART, Chairman.

Mr. Lockwood asked the unanimous consent of the Senate to prefix a title to Senate memorial and joint resolution relative to saline lands.

Leave granted.

Mr. PRESIDENT: Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 12—entitled "An Act to abolish the use of State revenue stamps, and to provide for the settlement of outstanding stamps"—have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same back, with the recommendation that it do pass.

J. C. HAZLETT, Chairman.

Mr. PRESIDENT: Your Standing Committee on Judiciary, to which was referred Assembly Bill No. 8—entitled An Act to protect the wages of labor—report that they have had the same under consideration, have

come to no conclusion thereon, and have directed their Chairman to report the same to the Senate without recommendation.

C. S. VARIAN.

MOTIONS AND RESOLUTIONS.

By Mr. Moore:

Resolved, That Senator Mills be and he is hereby allowed and directed to withdraw from the Senate File Senate Bill No. 136.

Indefinitely postponed.

Mr. Thompson gave notice that he would, on to-morrow, move to amend Standing Rule No. 1, of the Senate.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 13th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 41—entitled An Act to incorporate the Town of Gold Hill—which passed the Assembly: Yeas, 41; nays, 1.

Also, Assembly Bill No. 45—entitled An Act to authorize the payment of the claim of Alexander Leport for wood furnished the State of Nevada for the use of the sixth session of the Legislature—which passed the Assembly: Yeas, 39; nays, none.

Also, Assembly Bill No. 6—An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto—which passed the Assembly: Yeas, 28; nays, 12.

Also, return to your honorable body, Senate Bill No. 59—An Act to amend an Act entitled "An Act to authorize the State Treasurer to employ a clerk, and fixing his compensation, approved March ninth, eighteen hundred and sixty-five," approved March first, eighteen hundred and sixty-six—which passed the Assembly: Yeas, 41; nays, none.

Also, Senate Concurrent Resolution No. 58—Relative to postal telegraph—which passed the Assembly: Yeas, 25; nays, 19.

Also, Senate Concurrent Resolution No. 146—Relative to granting leave of absence to J. S. Shoemaker, County Clerk of Washoe County—which passed the Assembly: Yeas, 33; nays, 6.

Also, Senate Concurrent Resolution No. 150—Relative to State Printer furnishing printed bills—which passed the Assembly: Yeas, 30; nays, 9.

Respectfully, .

J. M. WOODWORTH,
Assistant Clerk.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 97—An Act to require Assessors to pay over to the County Treasurers, monthly, all poll taxes collected;

Also, Senate Concurrent Resolution No. 37—Relative to saline lands in the State of Nevada;

Have been carefully compared with the engrossed bill and resolution,

and that the bill has been handed to the Governor for his approval, and the resolution deposited with the Secretary of State.

A. J. LOCKWOOD, Chairman.

NOTICES.

By Mr. Moore: That he will, on some future day, introduce a bill for An Act to abolish the office of State Printer, and providing for the State work being done by contract.

Also, a bill for An Act to abolish the office of State Mineralogist.

INTRODUCTION OF BILLS.

Mr. Walter, from Committee on Public Lands, introduced Senate Bill No. 158—An Act to provide for the selection and sale of lands that have or may hereafter be granted by the United States to the State of Nevada.

Mr. Walter moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

Mr. Stevenson, without previous notice, introduced Senate Bill No. 159—An Act amendatory of an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March twentieth, eighteen hundred and sixty-seven, and Acts amendatory thereof.

Mr. Stevenson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Education, and two hundred and forty copies ordered printed.

Carried.

Mr. Walter, without previous notice, introduced Senate Bill No. 160—An Act relating to the duties of the Secretary of State.

Read first time.

Mr. Walter moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Cassidy, without previous notice, introduced Senate Bill No. 161—An Act to authorize the Commissioners of Lander County to subscribe to the capital stock of the Humboldt and Colorado Railroad Company, and to aid in the construction of a railroad from Palisade to the Colorado River.

Mr. Cassidy moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Lander County delegation.

Mr. Thompson moved, as an amendment, that the bill be referred to the Committee on Railroads and Internal Improvements, and two hundred and forty copies ordered printed.

Carried.

Mr. Hobart, without previous notice, introduced Senate Bill No. 162—An Act regulating the mortgages of personal property.

Mr. Hobart moved that the reading had be considered the first read-

ing of the bill; the rules be suspended; the bill be read the second time by title, and referred to the Committee on Judiciary.

Carried.

Assembly Bill No. 6—An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto.

Mr. Crawford moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Judiciary Committee.

Carried.

Assembly Bill No. 45—An Act to authorize the payment of the claim of Alexander Leport, for wood furnished the State of Nevada for the use of the sixth session of the Legislature.

Mr. Crawford moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Claims.

Carried.

Assembly Bill No. 41—An Act entitled An Act to incorporate the Town of Gold Hill.

Mr. Crawford moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and placed on General File.

Carried.

GENERAL FILE.

Senate Concurrent Resolution No. 150—Relative to State Printer furnishing printed bills.

Returned from the Assembly with amendments, which were not concurred in by the following vote:

YEAS—Messrs. Hill and McCoy—2.

NAYS—Messrs. Campbell, Cassidy, Clapp, Crawford, Eastman, Fox, Hazlett, Lockwood, McClinton, Mills, Moore, Phelan, Small, Stevenson, Varian, and Walter—16.

Senate Bill No. 15—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven," approved March third, eighteen hundred and sixty-nine—returned from the Assembly with amendments.

The amendments by the Assembly were concurred in, with the exception of that relating to the salary of the Treasurer of Lincoln County, in which the Senate refused to concur.

Senate Bill No. 48—An Act to incorporate the Miners' Union and the Ancient Order of Hibernians.

Mr. Lockwood moved that the bill be returned to the Assembly, with the request that they express their amendments more clearly.

Carried.

Substitute for Senate Bill No. 77—An Act concerning the right of possession of property in the State of Nevada.

Mr. McCoy moved to refer to a special committee of one, with instructions to add the word "excepted," in section one, line one.

Mr. Phelan moved a call of the Senate.

Carried.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Varian, Walter, and Wilson—20.

Absent—Messrs. Cleveland, Lockwood, Moore, and Thompson—4.

Mr. Moore moved that further proceedings under the call be dispensed with.

Mr. McClinton moved that the bill be referred to a special committee of one, with instructions to add the words "competent to become a citizen of the United States."

Carried.

Roll called, and bill lost by the following vote:

YEAS—Messrs. Cassidy, Eastman, McCoy, McClinton, and Varian—5.

NAYS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Fox, Hill, Hobart, Lockwood, Mills, Moore, McBeth, Phelan, Small, Stevenson, Walter, and Wilson—17.

Mr. Varian moved that the Senate take a recess until two o'clock P. M.
Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—18.

Absent—Messrs. Campbell, Cassidy, Cleveland, McCoy, Moore, and Varian—6.

Mr. Mills asked leave of absence for the remainder of the day.

Leave granted.

Mr. Hazlett moved that Senate Bills Nos. 118 and 119 be taken up out of their regular order.

Carried.

Senate Bill No. 118—An Act to amend an Act entitled "An Act authorizing a State loan, and levying a tax to provide means for the payment thereof," approved February twenty-seventh, eighteen hundred and seventy-one.

Mr. Hazlett moved that the bill be ordered engrossed.

Carried.

Mr. McBeth asked leave of absence for the remainder of the day.

Leave granted.

Senate Bill No. 119—An Act to amend "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February sixth, eighteen hundred and sixty-seven, and to fund the floating debt, and place the State upon a permanent cash basis," approved February twenty-seventh, eighteen hundred and seventy-one.

Mr. Hazlett moved that the bill be ordered engrossed.

Carried.

Mr. Varian moved that the Senate go into the Committee of the Whole for the consideration of the bills referred thereto.

Carried.

Mr. Lockwood asked leave of absence for the remainder of the day.

Leave granted.

Senate in Committee of the Whole.

President pro tem. in the chair.

In time, the committee rose, and presented the following report:

Mr. PRESIDENT: The Committee of the Whole have had under consideration Assembly Concurrent Resolution No. 13—Relative to swamp and overflowed lands—which they report back with recommendation that it do not pass.

Also, Substitute for Senate Bill No. 39—An Act concerning juries—which they report back with the following amendments: In line two of section eight strike out the words "six months" and insert in lieu thereof the words "once in each year." In line four of section nine strike out the words "any person residing more than — miles from the Court House of the county," and insert in lieu thereof the words "the Judges of the several District Courts may, by an order entered upon the minutes of their Courts, prescribe bounds in their several counties, and all persons residing without such bounds may be exempted from serving on juries in the manner hereinafter prescribed." In line five, section nine, strike out the words "may, before being drawn as a juror," and insert in lieu thereof the words "any person residing without such bounds may" Also, in same line, after the word "affidavit," insert the words "showing his exemption." Also, after the word "physician," in line four, section nine, insert the words "and one half of all members of each regularly enrolled fire company in this State, and all officers of such fire companies not exceeding ten in number for each company." In line ten, section nine, fill blank with the words "twenty-five." In line three, section nine, insert "Assessor" after the word "clerk." In line two, section nine, of same bill, strike out the words "upon complying with the conditions herein prescribed, and not otherwise." In line three, section ten, strike out all after the word "family." The committee recommend that the bill be engrossed.

The committee have also had under consideration Senate Bill No. 38—An Act for the relief of John B. Helm, Sheriff of Esmeralda County—which they report back with the recommendation that it be engrossed.

Also, Senate Bill No. 141—An Act for the relief of Francis S. Armistead—which they report back with the recommendation that it be ordered engrossed.

Also, Senate Bill No. 135—An Act to define the time for levying and assessing taxes for State and county purposes—which they report back with the following amendment: Add to section three, "And provided further, that the County Commissioners of the several counties of the State may, by an order, prescribe the time between the second Monday in April and the second Monday in September when the County Assessor shall begin his assessment." The committee report the bill back, and recommend that it be re-referred to Mr. McClinton, for reenactment.

Also, Senate Bill No. 134—An Act to provide for submitting the removal of the county seat of Humboldt County to a vote of the qualified electors thereof—which they recommend be placed at foot of the File.

Also, Substitute for Senate Bill No. 91—An Act to regulate the salaries of County Auditors—which they report back, with recommendation that it be ordered engrossed.

Also, Senate Bill No. 94—An Act to provide for the appointment and payment of an agent or agents at Washington City, D. C., for attending

to the certification of lands granted by Congress to the State of Nevada—which they report back and recommend that it do pass.

Also, Senate Bill No. 148—An Act to provide for fostering and supporting the Nevada Orphan Asylum—which they report back, with the recommendation that it do not pass.

Also, Senate Bill No. 152—An Act to provide for the payment of the claim of Calvin Swift—which they report back, with the recommendation that it pass.

Also, Senate Bill No. 151—An Act for the relief of the California Institute for the Education of the Deaf, Dumb, and Blind—which they report back, with the recommendation that it be engrossed, and that it do pass.

Mr. Varian asked leave of absence for to-morrow.

Leave granted.

Mr. Varian moved that Senate Bill No. 102 be referred to Committee of the Whole.

Carried.

Mr. Small moved to adjourn.

Carried.

So, at five o'clock P. M. the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FORTY-FIRST DAY.

CARSON CITY, February 15th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Small, Stevenson; Thompson, Walter, and Wilson—22.

Absent—Mr. Phelan—1.

Absent, on leave—Mr. Varian—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

Mr. McClinton asked that Senate Bill No. 135 be now referred to him for reenactment, in compliance with recommendation of Committee of the Whole.

Request granted.

PETITION.

By Mr. Stevenson: Relative to relief of S. H. Marlette.

Mr. Stevenson moved that the petition be referred to Committee on Claims.

Carried.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Committee on Counties and County Boundaries, to which was referred Assembly Bill No. 56—entitled “An Act to regulate the collection of taxes in disputed territory between counties”—report that they have had the same under consideration, and report the same back to the Senate without recommendation.

WM. HILL, Chairman.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 118—An Act to amend an Act entitled “An Act authorizing a State loan, and levying a tax to provide means for the payment thereof,” approved February twenty-seventh, eighteen hundred and seventy-one;

Also, An Act to amend “An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February sixth, eighteen hundred and sixty-seven, and to fund the floating debt, and place the State upon a permanent cash basis,” approved February twenty-seventh, eighteen hundred and seventy-one;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBERT McBETH,

Committee.

Mr. PRESIDENT: Your Standing Committee on Railroads and Internal Improvements, to which was referred Assembly Bill No. 33—An Act to repeal an Act entitled “An Act supplementary to an Act entitled ‘An Act to provide revenue for the support of the government of the State of Nevada,’ approved March ninth, eighteen hundred and sixty-five, and the Acts amendatory thereof,” approved March sixth, eighteen hundred and sixty-nine—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate, and recommend its passage.

CLEVELAND, Chairman.

Mr. PRESIDENT: The majority of your Standing Committee on Railroads and Internal Improvements, to which was referred Senate Bill No. 136—An Act to amend an Act entitled “An Act to encourage the construction of a railroad in the eastern portion of the State of Nevada,” approved February twenty-first, eighteen hundred and seventy-one—report that they have given the subject the most thorough examination, and have directed their Chairman to report the same to the Senate, and recommend its passage.

Mr. PRESIDENT: Your Standing Committee on Agriculture and Manufactures, to which was referred Senate Bill No. 107—An Act to provide

for the destruction of noxious animals within this State—report that they have had the same under consideration, have come to no conclusion thereon, and have directed their Chairman to report the same to the Senate without recommendation.

JAS. W. SMALL, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 14th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited with the Secretary of State, the following bills:

Senate Bill No. 97—"An Act to require Assessors to pay over to the County Treasurer, monthly, all poll taxes collected."

Also, Senate Bill No. 80—"An Act to amend section twenty-nine of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," as amended by section one of an Act approved March first, eighteen hundred and seventy-one."

L. R. BRADLEY.

MOTIONS AND RESOLUTIONS.

Mr. Thompson, in accordance with previous notice, moved to strike out, in Rule I of Standing Rules, the word "eleven," and insert the word "ten" before the word "o'clock."

Roll called, and motion lost by the following vote:

YEAS—Messrs. Clapp, Crawford, Eastman, Hill, Lockwood, and Thompson—6.

NAYS—Messrs. Campbell, Cassidy, Cleveland, Davenport, Fox, Hazlett, Hobart, McCoy, McClinton, Mills, Moore, Small, Stevenson, Walter, and Wilson—15.

Mr. Stevenson asked leave of absence for Mr. Phelan for the day.
Leave granted.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 14th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Bill No. 31—entitled An Act to amend an Act entitled "An Act concerning District Attorneys, approved March eleventh, eighteen hundred and sixty-five, approved February twenty-sixth, eighteen hundred and sixty-six," approved March eleventh, eighteen hundred and sixty-seven—the amendments made by the Assembly having been receded from by the following vote: Yeas, 33; nays, 9.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

INTRODUCTION OF BILLS.

Mr. McClinton introduced Senate Bill No. 135—An Act to define the time for levying and assessing taxes for State and county purposes—said bill having been reenacted by him according to instructions.

Read first time.

Mr. McClinton moved that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Mr. Cassidy moved, as an amendment, that the bill be ordered engrossed.

Carried.

Mr. Moore, in accordance with previous notice, introduced Senate Bill No. 166—An Act to provide for the confinement of insane criminals.

Read first time.

Mr. Moore moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Davenport, in accordance with previous notice, introduced Senate Bill No. 167—An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties, and establish their pay.

Mr. Davenport moved that the reading had been considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 80—An Act to amend section twenty-nine of an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," as amended by section one of An Act approved March first, eighteen hundred and seventy-one—has been carefully compared with the engrossed bill, found correctly enrolled, and has this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

GENERAL FILE.

Senate Bill No. 71—An Act for the better observance of the Christian Sabbath.

Mr. Cleveland moved that the bill be referred to a special committee of one, with instructions to strike out section two.

Lost.

Mr. Mills moved that the bill be referred to a special committee of one, with instructions to add a proviso to section two.

Lost.

Mr. McClinton moved that the bill be referred to a special committee of one, with instructions to insert in section two the words "for gain" after the words "keep open."

Lost.

Mr. Mills moved that the bill be referred to a committee of one, with instructions to insert at the end of section two the following: "*Provided*, That the provisions of this section shall not be so construed as to apply to smelting furnaces, or to workshops necessarily connected therewith."

Carried.

The President appointed Mr. Mills as such committee, who reported the amendment made, as per instructions.

Mr. Cassidy moved that the bill be referred to a special committee of one, with instructions to add to the end of section three the following: "Provided, That restaurants and hotels shall not sell wines, liquors, or intoxicating beverages on the Sabbath."

Carried.

The President appointed Mr. Cassidy as such committee, who reported the amendment made, as per instructions.

Mr. Lockwood moved that the bill be amended by adding the following additional section:

"SEC. 6. This Act shall be in force and take effect on and after June first, eighteen hundred and seventy-three."

Carried, and bill so amended.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Crawford, Davenport, Eastman, Fox, Hazlett, Lockwood, McCoy, McClinton, Mills, Moore, Small, Stevenson, and Thompson—14.

NAYS—Messrs. Cassidy, Clapp, Cleveland, Hill, Hobart, McBeth, Walter, and Wilson—8.

Mr. Stevenson moved to adjourn.

Carried.

So, at twelve o'clock and forty minutes P. M., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FORTY-THIRD DAY.

CARSON CITY, February 17th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. Davenport—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of Saturday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: The undersigned, from the Committee on Railroads and Internal Improvements, to which was referred Senate Bill No. 136, beg leave to report that they have duly considered the same, and find that the proposed amendments to the original bill, passed and approved February twenty-first, eighteen hundred and seventy-one, are germane to the original, and therefore may be considered an Act amendatory thereto; yet we are of the opinion that the special provisions of Senate Bill No. 136 are so unjust to the counties named in it that the amendments proposed should not become a law.

In referring to them we find that all restrictions relating to the corporators are ignored; especially relating to gauge, character of labor, time of completion, etc. Yet the proposed bill binds the counties and obligates them to continue to do what they did not agree to do with the original corporators, and they (the counties) have no voice in the matter.

This action on the part of the Legislature the undersigned consider unjust. Should the Legislature, however, consider that it is proper for the corporators of the road to be granted further time to complete said road, and hold their franchise under new provisions, then the undersigned are fully of the opinion that the matter should be resubmitted to the people and taxpayers, to be reconsidered and acted upon by them, in at least the same or similar manner as provided in the original bill.

In considering that all the above privileges on the part of counties named in this bill have been ignored, and believing that the granting of subsidies from taxpayers of counties and States in aid of private corporations is radically wrong under all circumstances, therefore the undersigned respectfully recommend that Senate Bill No. 136 do not pass.

J. B. MOORE.

I concur in all of the foregoing report, except that clause expressing the opinion that the granting of subsidies by the taxpayers of counties and States is wrong under all circumstances.

C. H. EASTMAN.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared reenacted Senate Bill No. 135—entitled An Act to define the time for levying and assessing taxes for State and county purposes—with the original copy thereof, and find it correctly engrossed.

ISRAEL CRAWFORD, Chairman.

REPORT OF SPECIAL COMMITTEE.

Mr. PRESIDENT: Your special committee appointed to inquire into and investigate the financial condition and working of the association known as the "Nevada State Lottery," have had the same under their consideration, and beg leave to state the following as the result of their investigations:

Your committee find that the said association have disposed of tickets to the amount of twenty-five thousand dollars, of which sum but five hundred dollars have been paid into the State Treasury.

Your committee have seen a check drawn by D. L. Blanchard, one of the managers of the association, in favor of the State Treasurer; said check was drawn for the sum of fifteen hundred dollars; but the management has thus far failed and neglected to deliver said check to said Treasurer.

Your committee have also called upon his Excellency the Governor of this State, and are instructed by him to state that the said association have failed to execute and deliver a good and sufficient bond, as required by law; also, that although the Governor has repeatedly written, and sent his Private Secretary to see the managers in relation to filing said bond, the management still refused and neglected so to do, until after this, your committee, was appointed, when the Governor refused to accept the said bond.

The management informed your committee that they had filed a good and sufficient bond with the Secretary of State, but upon examination by your committee, it was found to be the same refused and rejected by the Governor. The management state that they have established agencies in the different cities of the United States; also, that they have now on hand, and deposited with Wells, Fargo & Co., in Virginia City, of this State, the sum of thirteen thousand dollars, which sum is a balance after deducting for printing, advertising, and other expenses.

Your committee are of the opinion that the said association have neglected to perform their duties as prescribed by law.

Your committee are also of the opinion that the using of the name of the State of Nevada by the said association, is damaging in its effect and pernicious in its example.

Your committee would therefore respectfully recommend that the said association be henceforth debarred the right to use the said name of the State of Nevada, and that it be made unlawful for the said association to use the name of the State of Nevada for the purpose of advertising any further the said lottery, or for any other purpose connected therewith.

WILLIAM THOMPSON,
WILLIAM HILL,
W. S. HOBART,
Committee.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 15th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Bill No. 15—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven, approved March third, eighteen hundred and sixty-nine—the House having receded from the amendment not concurred in by your honorable body by the following vote: Yeas, 35; nays, 9.

Also, Senate Bill No. 16—An Act to amend an Act entitled "An Act defining the duties of the Attorney General of the State of Nevada,"

approved March eleventh, eighteen hundred and sixty-seven—the same having passed the Assembly: Yeas, 37; nays, none.

Also, Senate Bill No. 35—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act in relation to common jails and the prisoners thereof,' approved November twenty-fifth, eighteen hundred and sixty-one," approved March third, eighteen hundred and sixty-six—which was defeated by the Assembly, by striking out the enacting clause.

Also, Senate Bill No. 88—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one—which passed the Assembly: Yeas, 38; nays, none.

Also, Senate Concurrent Resolution No. 150—Relative to State Printer furnishing printed bills—which was indefinitely postponed: Yeas, 40; nays, 1.

Also, transmit to your honorable body, for your consideration, Assembly Concurrent Resolution No. 17—Relative to appointing joint committees—the same having passed the Assembly: Yeas, 41; nays, 2.

Also, Assembly Concurrent Resolution No. 18—Relative to the cause of the State of Nevada against Henry Rhoades, administrator of the estate of Eben Rhoades, deceased, *et als.*—which passed the Assembly: Yeas, 40; nays, 1.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

Assembly Concurrent Resolution No. 18, taken up out of order—Relative to the case of the State of Nevada against Henry Rhoades, administrator of the estate of Eben Rhoades, deceased.

Mr. Crawford moved the adoption of the resolution.

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Fox, Hazlett, Hobart, Lockwood, McCoy, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Walter, and Wilson—16.

NAYS—Messrs. Eastman, Hill, Thompson, and Varian—4.

Assembly Concurrent Resolution No. 17—Relative to appointing joint committee, etc., to consider the matter of lands donated by Congress to the State of Nevada.

Mr. Eastman moved the adoption of the resolution.

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAYS—None.

The President appointed as committee Messrs. Eastman, Stevenson, and McClinton.

NOTICES.

By Mr. Campbell: That he will, on some future day, introduce a bill for An Act entitled An Act admitting Indians to testify in the Courts of Nevada.

By Mr. Phelan: That he will, on some future day, introduce a bill for an Act to prevent frauds on petitioners.

INTRODUCTION OF BILLS.

Mr. McClinton, in accordance with previous notice, introduced Senate Bill No. 170—An Act to regulate the compensation of County Commissioners.

Mr. McClinton moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Stevenson, without previous notice, introduced Senate Bill No. 171—An Act to provide for the normal instruction of persons intending the profession of teaching in the State of Nevada.

Mr. Stevenson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Thompson, without previous notice, introduced Senate Bill No. 172—An Act to repeal an Act entitled "An Act to aid the Nevada Benevolent Association in providing means to erect an Insane Asylum."

Read first time.

Mr. Thompson moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Thompson, without previous notice, introduced Senate Bill No. 173—An Act to reestablish a portion of the western boundary line of the State of Nevada.

Read first time.

Mr. Thompson moved that the rules be suspended; the bill read the second time by title, and referred to Committee on State Affairs.

Carried.

REPORT OF COMMITTEE ON ENROLLMENT.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Concurrent Resolutions Nos. 58, 146, 132, 144, 145 have been carefully compared with the engrossed resolutions, found correctly enrolled, and have this day been deposited with the Secretary of State.

Also, that Senate Bill No. 72—An Act to consolidate and fund the indebtedness of Lincoln County—has been carefully compared with the engrossed bill, found correctly enrolled, and has this day been handed to the Governor for his approval.

Also, Senate Bill No. 31—An Act to amend an Act entitled "An Act concerning District Attorneys, approved March eleventh, eighteen hundred and sixty-five, approved February twenty-sixth, eighteen hundred and sixty-six," approved March eleventh, eighteen hundred and sixty-seven;

Also, Senate Bill No. 59—An Act to amend an Act entitled "An Act

to authorize the State Treasurer to appoint a clerk, and fixing his compensation, approved March ninth, eighteen hundred and sixty-five," approved March first, eighteen hundred and sixty-six;

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

GENERAL FILE.

Senate Bill No. 89—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in Courts of justice in this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

Mr. McClinton moved to refer the bill to a special committee of one, with instructions to insert the following amendment: After the word "incurred," in the last line, the words, "*provided*, that whenever the Judge of the appellate Court shall be satisfied, from the evidence, that the appellant had reasonable grounds for his appeal, and that such appeal was taken in good faith, for the sole purpose of promoting the ends of justice, such Judge may then order such costs to be taxed against the respondent, or may apportion the costs between the parties in such manner as will be just."

Carried.

The President appointed Mr. McClinton as such committee, who reported the bill amended as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, Moore, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAYS—None.

Assembly Bill No. 44—An Act to amend an Act to provide for the registration of the names of electors, and to prevent frauds at elections.

Roll called, and bill defeated by the following vote:

YEAS—Messrs. Campbell, Cassidy, Davenport, Moore, and Stevenson—5.

NAYS—Messrs. Clapp, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, McBeth, Thompson, Varian, Walter, and Wilson—15.

Senate Bill No. 68—An Act making appropriations for the ninth and tenth fiscal years.

Mr. Moore moved to refer to a special committee of one, with instructions to amend by striking out.

Lost.

Mr. Cassidy moved to refer to a special committee of one, with instructions to insert the words "President of the Board of," in relation to services of Attorney General.

Carried.

The President appointed Mr. Cassidy as such committee, who reported the amendment made according to instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, McBeth, Phelan, Stevenson, Thompson, Varian, and Walter—21.
NAYS—None.

Mr. Mills moved that Substitute for Senate Bill No. 39 be now taken up.

Carried.

On motion, the amendments to the bill recommended by the Committee of the Whole were adopted, and the bill ordered engrossed.

Substitute for Senate Bill No. 116—An Act to provide for transferring and replacing money of certain Funds of Washoe County.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—23.

NAYS—None.

Mr. Hazlett moved that Senate Bills Nos. 118 and 119 be now taken up.

Carried.

Senate Bill No. 118—An Act to amend an Act entitled "An Act authorizing a State loan and levying a tax to provide means for the payment thereof," approved February seventeenth, eighteen hundred and seventy-one.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAY—Mr. Lockwood—1.

Senate Bill No. 119—An Act to amend an Act entitled "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February sixth, eighteen hundred and sixty-seven, and to fund the floating debt and place the State upon a permanent cash basis," approved February twenty-seventh, eighteen hundred and seventy-one.

Mr. Lockwood moved that the bill be referred to a special committee of one, with instructions to strike out "ten per cent." and insert the word "par."

Lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAY—Mr. Lockwood—1.

Mr. Varian moved that Senate Bill No. 13 be taken from the General File and ordered engrossed.

Carried.

Mr. Mills moved that the Senate take a recess until two o'clock P. M.
Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; full Senate present.

Mr. Hill moved to take up Senate Bill No. 85—An Act to apportion the payment of the salary of the District Judge of the Fifth Judicial District, between Churchill and Nye Counties.

On motion, the amendments recommended by committee were adopted, and the bill ordered engrossed.

Assembly Bill No. 29—An Act for the government and maintenance of the State Orphans' Home.

On motion, the amendments recommended by the committee were adopted.

Mr. Moore moved that the bill be referred to a special committee of one, with instructions to strike out "county" and insert "State," in last line of section seven.

Lost.

Mr. Cleveland moved that the bill be referred to a special committee of one, with instructions to strike out the words "not to exceed one thousand dollars," and insert "one hundred and fifty dollars per month."

Carried.

The President appointed Mr. Cleveland as such committee, who reported the amendment made as per instructions of the Senate.

Mr. Lockwood moved that the bill be referred to a special committee of one, with instructions to strike out in line four, section nine, all after the word "your."

Carried.

The President appointed Mr. Lockwood as such committee, who reported amendment made as per instructions of the Senate.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, Lockwood, McCoy, McClinten, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

NAYS—None.

Mr. Moore gave notice that he would, on to-morrow, move a reconsideration of the vote whereby the above bill was passed.

On motion of Mr. Phelan, Senate Bills Nos. 38 and 141 were taken up out of order.

Senate Bill No. 38—An Act for the relief of John B. Helm, Sheriff of Esmeralda County.

Bill ordered engrossed.

Senate Bill No. 141—An Act for the relief of Francis S. Armistead.

Bill ordered engrossed.

Assembly Joint Resolution No. 12—Relative to swamp and overflowed lands.

On motion, the resolution was indefinitely postponed.

Mr. Phelan asked leave of absence for the remainder of the day.

Leave granted.

Senate Bill No. 115—An Act to fund the hospital debt of Washoe County, and provide for the payment of the same.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—None.

Senate Bill No. 154—An Act to create and fix the compensation of the office of President of the Board of Directors of the State Library.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, McBeth, Thompson, Varian, Walter, and Wilson—17.

NAYS—Messrs. Clapp, Davenport, Eastman, Moore, Small, and Stevenson—6.

Mr. Lockwood gave notice that he would, on to-morrow, move a reconsideration of the vote whereby the above bill was passed.

Assembly Bill No. 12—An Act to abolish the use of State revenue stamps, and to provide for the settlement of outstanding stamps.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Moore, McBeth, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—Messrs. Mills and Small—2.

Assembly Bill No. 8—An Act to protect the wages of labor.

Roll called, and bill defeated by the following vote:

YEAS—Messrs. Cleveland, Fox, Hill, Lockwood, Stevenson, and Walter—6.

NAYS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Hazlett, McCoy, McClinton, Mills, Moore, McBeth, Small, Thompson, Varian, and Wilson—17.

Mr. Cassidy gave notice of motion to reconsider the vote whereby the bill was lost.

Assembly Bill No. 41—An Act entitled An Act to incorporate the Town of Gold Hill.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Fox, Hazlett, Hill, Lockwood, McCoy, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—17.

NAYS—Hobart, McClinton, and Moore—3.

Mr. McCoy, on leave, gave the following notice:

“Notice is hereby given that there will be a meeting in the Assembly

Chamber on Wednesday night next (February nineteenth), to consider centennial affairs. All persons are respectfully invited to attend and participate.

" W. W. McCOY,
" Centennial Commissioner for Nevada.
" C. H. EASTMAN,
" Board of Finance for Nevada."

Mr. McBeth moved to adjourn.

Lost.

Senate Bill No. 94—An Act providing for the appointment of an agent or agents at Washington City, D. C., for attending to the certification of lands granted by Congress to the State of Nevada.

Mr. Moore moved that the bill be referred to special committee of one, with instructions to strike out the words "fifteen hundred," and insert the words "one thousand."

Lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McCoy, McClinton, Stevenson, Thompson, Walter, and Wilson—16.

NAYS—Messrs. Hobart, Lockwood, Moore, and Small—4.

Assembly Bill No. 44—An Act to amend "An Act to provide for the registration of the names of electors, and to prevent frauds at elections."

Roll called, and bill lost by the following vote:

YEAS—Messrs. Campbell, Cassidy, Davenport, Moore, and Stevenson—5.

NAYS—Messrs. Clapp, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, McBeth, Thompson, Varian, Walter, and Wilson—15.

Mr. Moore moved to take a recess until seven o'clock p. m.

Mr. Stevenson moved, as an amendment, that the Senate adjourn.

Carried.

So, at five o'clock p. m., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FORTY-FOURTH DAY.

CARSON CITY, February 18th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Varian—22.

Absent—Messrs. Walter and Wilson—2.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Judiciary, to which was referred Senate Bill No. 170—entitled "An Act to regulate the compensation of County Commissioners"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the recommendation that it do pass.

By Mr. Phelan: The following preamble and resolution:

WHEREAS, A card appeared in the *Carson Appeal* of this date, signed by one A. Curry, which, by imputation, indirectly affects the integrity of the Senators comprising the Committee on Claims; therefore

Resolved, That a special committee of three be appointed by the Chair to investigate the subject matter of said card, and report; and that the committee be authorized to administer oaths, and send for persons and papers.

Resolved, That no member of the Committee on Claims be appointed on the above special committee.

JAMES PHELAN,
Chairman Committee on Claims.

The President appointed Messrs. Cleveland, Cassidy, and McBeth as such committee.

Mr. PRESIDENT: Your Standing Committee on the Judiciary, to which was referred Assembly Bill No. 6—An Act to secure liens to mechanics and others—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate without recommendation.

Also, Senate Bill No. 162—An Act regulating the mortgage of personal property—report that they have come to a favorable [conclusion thereon], report the same to the Senate, with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 32—An Act concerning the terms of Courts

in the several judicial districts of this State—and report the same to the Senate, without recommendation.

Also, Senate Bill No. 153—An Act concerning equitable claims and accounts against counties—report that they have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend that it do pass.

W. W. McCOY, Chairman.

Mr. PRESIDENT: Your Committee on Ways and Means, to which was referred Assembly Bill No. 21—An Act to provide for obtaining a correct statement of the financial condition of the several counties of this State, and other matters of statistical information—have had the same under consideration, made amendments thereto, and recommend that it do pass as amended.

Also, Senate Bill No. 160—"An Act relating to the duties of the Secretary of State"—report that they have had the same under consideration, have made amendments thereto, and directed their Chairman to report the same back, and recommend its passage as amended.

Also, Senate Bill No. 143—An Act providing for the taxation of borax and soda mines and claims—have had the same under consideration, have come to a favorable conclusion thereon, and directed their Chairman to report the same to the Senate, with the recommendation that it do pass.

Also, Senate Bill No. 171—"An Act to provide for the normal instruction of persons intending the profession of teaching in Nevada"—which they have directed their Chairman to report to the Senate without recommendation.

Also, Senate Bill No. 149—"An Act to place in the method of government, equities arising under passes, free in this State"—which they have directed their Chairman to report back to the Senate without recommendation.

J. C. HAZLETT, Chairman.

Mr. PRESIDENT: Your Standing Committee on Agriculture and Manufactures, to which was referred Assembly Bill No. 15—An Act to regulate marks and brands of stock—report that they have had the same under consideration, have come to an unfavorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend that it do not pass.

JAS. W. SMALL, Chairman.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 26—An Act providing for the government of the cities and towns of this State—has been carefully compared with the engrossed bill, found correctly enrolled, and has this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

REPORT OF SPECIAL COMMITTEE.

Mr. PRESIDENT: Your joint committee from Elko and White Pine Counties—to which was referred Substitute for Senate Bill No. 33—An Act to amend an Act to define and establish the boundary line of Elko

County," approved March first, eighteen hundred and seventy-one—report a substitute for the substitute, and recommend it do pass.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 17th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited with the Secretary of State, the following bills:

Senate Bill No. 31—"An Act to amend an Act entitled An Act concerning District Attorneys, approved February twenty-sixth, eighteen hundred and sixty-six," approved March eleventh, eighteen hundred and sixty-seven.

Senate Bill No. 59—"An Act to amend an Act entitled "An Act to authorize the State Treasurer to employ a clerk, and fixing his compensation, approved March ninth, eighteen hundred and sixty-five," approved March first, eighteen hundred and sixty-six.

Senate Bill No. 72—"An Act to consolidate and fund the indebtedness of Lincoln County."

L. R. BRADLEY.

MOTIONS AND RESOLUTIONS.

Mr. Thompson moved that the usual number of copies of Senate Bill No. 149 be ordered printed.

Carried.

Mr. Cassidy, in accordance with previous notice, moved that the vote whereby Senate Bill No. 8—"An Act to protect the wages of labor"—was lost on yesterday, be now reconsidered.

Carried.

Mr. Mills moved that the bill be placed on the General File.

Mr. Moore, in accordance with previous notice, moved that the vote whereby Senate Bill No. 29—"An Act for the government and maintenance of the State Orphans' Home"—was passed on yesterday [be reconsidered].

Lost.

Mr. Lockwood asked leave to have his vote changed to negative on passage of Senate Bill No. 54.

Leave granted.

Mr. McClinton moved that the usual number of copies of Senate Bill No. 162—"An Act regulating the mortgage of personal property"—be ordered printed.

Carried.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 17th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 43—entitled An Act to secure photographs of State Prison convicts—which passed the Assembly: Yeas, 40; nays, 1.

Also, Assembly Bill No. 57—An Act for the relief of R. Webber and D. B. Collins—which passed the Assembly: Yeas, 29; nays, 12.

Also, Assembly Concurrent Resolution No. 19—Relative to granting leave of absence to Lemuel Allen, acting District Attorney of Churchill County—which passed the Assembly: Yeas, 32; nays, 3.

Also, return to your honorable body, Senate Bill No. 62—An Act concerning records now in the custody of County Recorders of this State—which passed the Assembly: Yeas, 41; nays, 3.

Also, Senate Bill No. 61—An Act to allow convicts to testify as witnesses in prosecutions for felonies against other convicts—which failed to pass the Assembly by the following vote: Yeas, 6; nays, 36.

Also, Senate Bill No. 54—An Act to define the duties and liabilities of pawnbrokers and pledgees—which the Assembly ordered returned to your honorable body for correction of clerical errors.

Also, Senate Bill No. 98—An Act to limit the compensation of County Auditors for extending the tax list on the assessment roll—which passed the Assembly: Yeas, 27; nays, 11.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

COMMUNICATION FROM STATE CONTROLLER.

SEAT OF GOVERNMENT, OFFICE OF STATE CONTROLLER, }
CARSON, (Nev.), February 17th, 1873. }

To the honorable the Senate:

I have the honor to transmit to your honorable body, claim of Alfred Helm for eighty-four dollars and fifty cents, being for clerk's fees in case of State vs. Rhoades *et al.* The liability accrued in eighteen hundred and seventy-two, and for the payment of which there is no appropriation.

Very respectfully,

W. W. HOBART,
State Controller.

Mr. Mills moved that the claim and communication be referred to the Committee on Claims.

Carried.

By Mr. Moore, on leave:

Resolved, That the Committee on State Prison, to which was referred Senate Bill No. 20, be and are hereby ordered and directed to report said bill back to the Senate to-morrow, with their conclusions thereon.

Lost.

By Mr. Lockwood, on leave:

Resolved, That hereafter no Senator shall be allowed to speak more than five minutes at one time, nor more than twice on the same question, without leave of the Senate, and it shall be the duty of the President to enforce this rule.

Mr. Cleveland moved to amend by making the time ten minutes.

Lost.

Mr. Stevenson moved to further amend by making the time fifteen minutes.

Lost.

Question now being on adoption of original resolution, it was carried.

INTRODUCTION OF BILLS.

Mr. Thompson, without previous notice, introduced Senate Bill No. 174—An Act prescribing an additional penalty for the non-payment of taxes in certain cases after suit.

Read first time.

Mr. Thompson moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. Varian, without previous notice, introduced Senate Bill No. 175—An Act to repeal an Act entitled "An Act to provide for the removal of county seats, and the permanent location of the same," approved March second, eighteen hundred and sixty-seven.

Mr. Varian moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Moore, in accordance with previous notice, introduced Senate Bill No. 176—An Act to encourage the artificial cultivation and propagation of fish in the State of Nevada.

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title; referred to the Committee on Agriculture, and two hundred and forty copies ordered printed.

Carried.

Mr. Lockwood, in accordance with previous notice, introduced Senate Bill No. 177—An Act to amend section one hundred and twenty-three of Chapter four, Title five, of an Act entitled "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

Mr. Lockwood moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

By delegation from Elko County: Substitute to Substitute for Senate Bill No. 33—An Act to amend an Act entitled "An Act to define and establish the boundary line of Elko County, Nevada," approved March first, eighteen hundred and seventy-one.

Mr. Cleveland moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the White Pine delegation.

Carried.

REPORT OF COMMITTEE ON ENGROSSMENT.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that

they have compared Senate Bill No. 13—An Act to compel children to attend school;

Also, Substitute for Senate Bill No. 39—An Act concerning juries;

Also, Senate Bill No. 172—An Act to repeal an Act entitled "An Act to aid the Nevada Benevolent Association in providing means to erect an insane asylum;"

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,
Committee.

Assembly Concurrent Resolution No. 19—Relative to granting leave of absence to Lemuel Allen, acting District Attorney of Churchill County.

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—18.

NAYS—None.

Assembly Bill No. 43—An Act to secure photographs of State Prison convicts.

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee on State Prison.

Carried.

Assembly Bill No. 57—entitled An Act for the relief of R. Webber and D. B. Collins.

Mr. Walter moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Claims.

GENERAL FILE.

Senate Bill No. 54—An Act to define the duties and liabilities of pawnbrokers and pledgees—from the Assembly.

Mr. Mills moved to refer to the Committee on Education, for consideration.

Mr. Lockwood rose to a point of order, that the motion of Mr. Mills was not in order.

Ruled well taken.

Mr. Moore moved that the bill be returned to the Senate.

Carried.

Assembly Bill No. 26—An Act to regulate the collection of taxes on disputed territory between counties.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—23.

NAYS—None.

Substitute for Assembly Bill No. 33—An Act to repeal an Act entitled "An Act supplementary to an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five,' and the Acts amendatory thereof," approved March sixth, eighteen hundred and sixty-nine.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—22.

NAYS—None.

Senate Bill No. 135, reenacted—An Act to define the time for levying and assessing taxes for State and county purposes.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

NAYS—None.

Senate Bill No. 13—An Act to compel children to attend school.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—21.

NAYS—Messrs. Cassidy, McCoy, and Wilson—3.

Mr. McBeth moved to take a recess until two o'clock.

Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Mills, Moore, McBeth, Phelan, Small, and Thompson—16.

Absent—Messrs. Cassidy, Lockwood, McCoy, McClinton, Stevenson, Varian, Walter, and Wilson—8.

Mr. Phelan moved to take up Senate Bill No. 151.

Carried.

Senate Bill No. 151—An Act for the relief of the California Institute for the Education of the Deaf, Dumb, and Blind.

Ordered engrossed.

Substitute for Senate Bill No. 39—An Act concerning juries.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Stevenson, and Thompson—18.

NAYS—Messrs. Hill, McBeth, and Small—3.

Senate Bill No. 172—An Act to repeal an Act entitled "An Act to aid the Nevada Benevolent Association in providing means to erect an insane asylum," approved March third, eighteen hundred and seventy-one.

Mr. Davenport moved to refer the bill to a special committee of one, with instructions to insert section two.

Yeas and nays called for by Messrs. Cassidy, Eastman, and Moore, and motion lost by the following vote:

YEAS—Messrs. Campbell, Crawford, Davenport, Hazlett, Lockwood, Moore, Phelan, and Varian—8.

NAYS—Messrs. Cassidy, Clapp, Eastman, Fox, Hill, Hobart, McCoy, McClinton, McBeth, Stevenson, Thompson, Walter, and Wilson—13.

Mr. McClinton moved to lay the bill on the table.

Carried.

Mr. Wilson, by leave, without previous notice, introduced Senate Bill No. 181—An Act to authorize the Counties of Lincoln and Nye, in the State of Nevada, to subscribe to the capital stock of the Humboldt and Colorado Railroad Company, and to aid in the construction of a railroad from a point at or near Palisade to the Colorado River.

Mr. Wilson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Lincoln and Nye County delegations, and two hundred and forty copies ordered printed.

Senate Bill No. 162, taken up on motion—An Act regulating the mortgage of personal property.

Mr. McClinton moved that the amendments recommended by the Judiciary Committee be adopted.

Carried.

Mr. Davenport, by leave, introduced Senate Bill No. 182—An Act to amend "An Act entitled An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, eighteen hundred and sixty-five," approved March fourth, eighteen hundred and seventy-one.

Mr. Davenport moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Assembly Bill No. 6—An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto.

Mr. Stevenson moved that the bill be referred to Committee of the Whole.

Mr. Varian moved that the Senate go into Committee of the Whole, for the consideration of various bills.

Lost.

Assembly Bill No. 32—An Act concerning the terms of Court in the several judicial districts of this State.

On motion, the bill was laid on the table.

Assembly Bill No. 15—An Act regulating marks and brands of stock.

Mr. Stevenson moved to refer to a special committee of one, with instructions to strike out the words "hogs and goats," wherever the words occur in the bill.

Lost.

Mr. Cleveland moved to refer to a special committee of one, with instructions to strike out the words "on the shoulder."

Mr. McClinton moved to make the bill the special order for Friday next, at twelve o'clock.

Mr. Stevenson moved to lay on the table.

Carried.

Mr. Phelan moved to adjourn.

Carried.

So, at four o'clock P. M., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FORTY-FIFTH DAY.

CARSON CITY, February 19th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read, corrected, and approved.

Mr. Cleveland asked indefinite leave of absence for himself and Mr. McBeth.

Leave granted.

Mr. Walter asked leave of absence for Mr. McCoy for the day.

Leave granted.

PETITIONS.

Mr. Phelan presented a petition from Mr. Sontag, relative to emigration from south slavic countries.

Mr. Thompson moved that the petition be referred to the Committee on Public Morals.

Carried.

Mr. Lockwood presented the following communication from the Sis-

ters of Charity of Virginia City, relative to the Orphans' Asylum at that place:

To the honorable the Senators and Members of the Assembly at Carson:

The Sisters of Charity, grateful for past favors from the State Legislature, conferred on themselves, the Nevada Orphan Asylum, and the orphans under their charge, take this opportunity of expressing their heartfelt thanks. They are also desirous of manifesting their gratitude for members of the present Legislature who have shown a kindly feeling towards them, and a due appreciation of their labors in their work of charity.

The Sisters established their asylum in eighteen hundred and sixty-four, when the State showed but a heartless indifference for parentless children. What they have done since that time in their vocation is more public than private, and is open for both public and private investigation. They have been duly acknowledged by previous Legislatures, and in some manner recompensed. Had they no other reward but that arising from their effort in awakening a feeling of sympathy for poor parentless children from the people of Nevada, they consider themselves amply repaid. All know, though some may reluctantly admit, they were the pioneers in the State for the orphans.

When they threw their doors open to the public no questions were asked. There was no distinction of persons, no discrimination of creeds. Distress and poverty directed their action. The State, through her representatives, was aware of this, and, not from charity, but from a sense of justice, rewarded them.

But, of late, a hostile feeling has arisen against them; still, they hope to live, notwithstanding this unfriendly opposition. They have been informed that members of the present Assembly were approached before election, and a qualification for election was an opposition to themselves and the orphans under their charge.

Such being the case, we most sincerely and respectfully request of your honorable bodies to withdraw the bill for the Nevada Orphan Asylum. If we are not entitled to the appropriation in justice, we do not look for it from the State in charity. Be pleased, therefore, not to say anything more about it in the present Legislature. Whatever has been said is sufficient. And should anything more be said, it is entirely adverse to our feelings of propriety and rectitude. The asylum has friends, and these friends are good enough to see that neither ourselves nor the orphans under our charge can want for food or clothing. We have no salary or wages. We have consecrated our life, our time, our attention, our care, and all that the world could afford us, to help the distressed, the afflicted, and especially the poor orphans; and we look for our recompense from a Good Master, who has promised a reward even to the charity of a cup of cold water.

Very respectfully and humbly, on the part of the Sisters of Charity,

S. M. FREDERICA McGRATH,
Sister Superior.

VIRGINIA CITY, February 18th, 1873.

Mr. Phelan asked leave to withdraw Senate Bill No. 148—An Act to provide for fostering and supporting the Nevada Orphan Asylum, a

duly incorporated benevolent institution, located at Virginia City, Nevada.

Leave granted.

Mr. Moore presented a petition from Morris Pinchshower, relative to lands, water, and fish.

Mr. McClinton moved to refer the petition to the Committee on Elections.

Carried.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 62—An Act concerning records now in the custody of County Recorders of this State;

Also, Senate Bill No. 15—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-six," approved March third, eighteen hundred and sixty-nine;

Also, Senate Bill No. 88—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one;

Also, Senate Bill No. 98—An Act to limit the compensation of County Auditors for extending the tax list on the assessment roll;

Also, Senate Bill No. 16—An Act to amend an Act entitled "An Act defining the duties of the Attorney General of the State of Nevada," approved March eleventh, eighteen hundred and sixty-seven;

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 38—entitled An Act for the relief of John B. Helm, Sheriff of Esmeralda County;

Also, Senate Bill No. 141—An Act for the relief of Francis S. Armistead;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,
Committee.

Mr. PRESIDENT: Your Standing Committee on Claims, to which was referred Assembly Bill No. 57—An Act for the relief of R. Webber and D. B. Collins—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate with a recommendation that it be referred to the Committee of the Whole.

Also, the claim of Ormsby County for two thousand two hundred and sixty dollars and ninety one hundredths dollars, which they recommend be referred to the Committee of the Whole and ordered paid.

Also, the claim of Edward Luban for pay for horses stolen by escaped convicts, which they recommend be referred to the Committee of the Whole.

J. PHELAN, Chairman.

Mr. PRESIDENT: Your Standing Committee on State Prison, to which was referred Assembly Bill No. 43—An Act to secure photographs of State Prison convicts—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate and recommend its passage.

Also, Senate Bill No. 106—An Act entitled "An Act to provide for the erection of a State Prison"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate and recommend its passage.

GEO. F. MILLS.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 17th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Bill No. 81—entitled "An Act to incorporate the Miners' Union and the Ancient Order of Hibernians"—which was returned from your honorable body with the request that amendments be specified more fully. I am instructed by the Assembly to inform your honorable body that the amendments made by the House were as follows: Strike out the words "The Miners' Union and," from the title of the bill. Also, strike out the words "The Miners' Union and of," in line one of section one. Also, strike out in line one of section two the words "The Miners' Union and of." Also, strike out in lines one and two, in section three, the words "Miners' Union and," and insert immediately before the word "Ancient" the word "The."

Also, to transmit, for the consideration of your honorable body, Assembly Bill No. 71—entitled An Act to authorize the temporary use of moneys levied and collected for the Building Fund of Washoe County for certain purposes—which passed the Assembly: Yeas, 38; nays, none.

Also, Assembly Bill No. 69—entitled An Act to amend an Act entitled "An Act to provide for the incorporation of religious, charitable, literary, scientific, and other associations," approved March second, eighteen hundred and sixty-seven—which passed the Assembly: Yeas, 42; nays, 1.

Also, Substitute for Assembly Bill No. 18—entitled An Act in relation to public highways—which passed the Assembly: Yeas, 34; nays, 12.

Also, return to your honorable body, Senate Bill No. 18—entitled An Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto, approved March eighth, eighteen hundred and sixty-nine—which passed the Assembly: Yeas, 38; nays, 6.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

INTRODUCTION OF BILLS.

Mr. Moore, in accordance with previous notice, introduced Senate Bill No. 183—An Act to authorize the Board of County Commissioners of Elko County, Nevada, to issue bonds payable from the Building Fund, and to levy a tax to provide for the payment thereof.

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the delegation from Elko County.

Carried.

Mr. Phelan, in accordance with previous notice, introduced Senate Bill No. 184—An Act to prevent fraud on petitioners.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Judiciary Committee.

Carried.

Mr. Hill, without previous notice, introduced Senate Bill No. 185—An Act concerning the compensation of registry agents.

Read first time.

Mr. Hill moved that the rules be suspended; the bill read the second time by title, and referred to Committee on Judiciary.

Carried.

Mr. Thompson, without previous notice, introduced Senate Bill No. 186—An Act to set apart certain money coming into the State Treasury for a State University Fund.

Read first time.

Mr. Thompson moved that the rules be suspended; the bill read the second time by title, and referred to Committee on Education.

Mr. Lockwood moved, as an amendment, that the bill be rejected.

Roll called, and motion lost by the following vote:

YEAS—Messrs. Campbell, Crawford, Fox, Hazlett, Lockwood, McBeth, and Phelan—7.

NAYS—Messrs. Cleveland, Davenport, Eastman, Hill, Hobart, McClinton, Moore, Small, Stevenson, Thompson, Varian, Walter, and Wilson—13.

The question being upon Mr. Thompson's motion to refer to Committee on Education, it was carried.

Senate Bill No. 114—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada."

On motion of Mr. McClinton, the bill was referred to the Committee on Judiciary, and two hundred and forty copies ordered printed.

Assembly Substitute for Senate Bill No. 18—An Act in relation to public highways.

Mr. Cleveland moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee on Roads and Bridges.

Carried.

Assembly Bill No. 71—An Act to authorize the temporary use of moneys levied and collected for the Building Fund of Washoe County for certain purposes.

Mr. Eastman moved that the reading had be considered the first read-

ing of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Washoe County delegation.

Carried.

Assembly Bill No. 69—An Act to amend an Act entitled "An Act to provide for the incorporation of religious, charitable, literary, scientific, and other associations," approved March second, eighteen hundred and sixty-seven.

Mr. Mills moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Corporations.

Carried.

GENERAL FILE.

Senate Bill No. 81—An Act to incorporate the Miners' Union and the Ancient Order of Hibernians—returned from the Assembly with amendments.

On motion, the amendments made in the Assembly were concurred in.

Substitute for Assembly Bill No. 21—An Act to provide for obtaining correct statements of the financial condition of the several counties of this State, and other matters of statistical information.

Amendments recommended by the Committee on Ways and Means: Amendment to section three: after the word "dollars," to read as follows: "and until the delivery of such report, the last month's salary, or wages, of said Assessors shall be retained." Amendment to section six: after the word "provided," to read as follows: "and the said Auditors, at the time of delivering said circulars, shall deliver to said Assessors the necessary blanks, as provided for in this Act."

On motion, the amendments were adopted.

Mr. Thompson moved that the bill be referred to a special committee of one, with instructions to add the following section: "Any person refusing to give the Assessor the information required in this Act, shall be fined in any sum not exceeding twenty-five dollars."

Lost.

Mr. McClinton moved to lay the bill on the table.

Carried.

Mr. McClinton moved to take a recess until two o'clock p. m.

Carried.

Senate met at two o'clock p. m.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Lockwood, McCoy, Mills, Moore, Phelan, Small, Stevenson, Thompson, Varian, and Wilson—19.

Absent—Messrs. Hill, Hobart, McClinton, McBeth, and Walter—5.

Senate Bill No. 8—An Act to protect the wages of labor.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, Moore, Phelan, Stevenson, and Wilson—15.

NAYS—Messrs. Clapp, Eastman, McClinton, McBeth, Small, and Varian—6.

Senate Bill No. 141—An Act for the relief of Francis S. Armistead.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Phelan, Small, Stevenson, Thompson, and Wilson—19.

NAYS—None.

Senate Bill No. 38—An Act for the relief of John B. Helm, Sheriff of Esmeralda County.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, and Varian—20.

NAY—Mr. Moore—1.

Assembly Bill No. 57—entitled An Act for the relief of R. Webber and D. B. Collins.

On motion, the bill was referred to the Committee of the Whole.

Assembly Bill No. 43—An Act to secure photographs of State Prison convicts.

Mr. Cassidy moved that the bill be referred to a special committee of one, with instructions to strike out the word "nine" before "dollars," and insert the word "four" in lieu thereof.

Lost.

Mr. Thompson moved that the bill be indefinitely postponed.

Lost.

Roll called, and bill lost by the following vote:

YEAS—Messrs. Campbell, Davenport, Hobart, Lockwood, Mills, McBeth, Stevenson, and Varian—8.

NAYS—Messrs. Cassidy, Cleveland, Crawford, Eastman, Fox, Hill, McClinton, Moore, Phelan, Small, and Thompson—11.

Mr. McClinton gave notice that he would, on to-morrow, move a reconsideration of the vote whereby the above bill was lost.

Senate Bill No. 126—An Act supplementary to "An Act to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and seventy-one.

On motion of Mr. Clapp, was ordered engrossed.

Substitute for Senate Concurrent Resolution—Relative to the Central Pacific Railroad Company obtaining patents for lands—was taken up, on motion of Mr. Thompson, and ordered engrossed.

Mr. McBeth moved to adjourn.

Carried.

So, at three o'clock and forty minutes p. m., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FORTY-SIXTH DAY.

CARSON CITY, February 20th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

PETITIONS.

The President of the Senate presented a petition relating to prevention of the continuance of polygamy among the Mormons, which the Secretary was instructed to read.

Pending which, Messrs. Moore and Crawford asked leave of absence for the time being.

Leave granted.

Mr. Stevenson moved a call of the Senate.

Carried.

Roll called.

Present—Messrs. Campbell, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—19.

Absent—Messrs. Cassidy, Lockwood, and Phelan—3.

Absent, on leave—Messrs. Crawford and Moore—2.

Messrs. Cassidy, Lockwood, and Phelan appearing at the bar of the Senate, were, on motion, admitted within the bar, and on giving excuse for their absence, were permitted to take their seats.

Mr. Mills moved that further proceedings under the call be dispensed with.

Carried.

Mr. McClinton moved that the further reading of the petition be dispensed with, and that the petition be laid on the table.

Carried.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 18—An Act to amend "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine—has been carefully compared with the engrossed bill, found correctly enrolled, and has this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

MR. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Substitute for Senate Concurrent Resolution

No. 47—Relative to Central Pacific Railroad Company obtaining patents to lands;

Also, Senate Bill No. 85—An Act to apportion the payment of the salary of the District Judge of the Fifth Judicial District between Churchill and Nye Counties;

Also, Senate Bill No. 151—An Act for the relief of the California Institute for the Education of the Deaf, Dumb, and Blind;

Also, Senate Bill No. 175—An Act to repeal an Act entitled "An Act to provide for the removal of county seats, and the permanent location of the same," approved March second, eighteen hundred and sixty-seven;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBERT McBETH,
Committee.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Senate Bill No. 104—entitled "An Act to encourage the discovery and development of coal mines in this State"—report that they have had the same under consideration, and report it back to the Senate without recommendation.

ROBT. McBETH, Chairman.

REPORTS OF SELECT COMMITTEES.

MR. PRESIDENT: Your special committee appointed to investigate the charges preferred against John Moran, an attaché of the Senate, report that they have examined into said charges, and have directed their Chairman to report that John Moran, while temporarily acting as Clerk of the Committee on Claims, was employed to make estimates of the cost of the building, and stated to Mr. Mitchell that it would cost about fifty dollars to employ help to make the estimates, and that the committee are exonerated from all blame.

A. C. CLEVELAND,
GEO. W. CASSIDY,
ROBERT McBETH,
Committee.

MR. PRESIDENT: Your select committee to which was referred Senate Bill No. 73—entitled An Act to regulate the sale of poisons, drugs, medicines, and patent medicines—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate, without recommendation.

WALTER, Chairman.

MR. PRESIDENT: Your special committee composed of the Washoe delegation, to which was referred Assembly Bill No. 71—An Act to authorize the temporary use of moneys levied and collected for the Building Fund of Washoe County for certain purposes—report that they have had the same under consideration, have come to a favorable conclusion thereon, and report the same to the Senate, with the recommendation that it do pass.

WILLIAM THOMPSON,
C. H. EASTMAN,
Committee.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
February 20th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Senate Bill No. 15—An Act entitled An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five, approved March eleventh, eighteen hundred and sixty-seven," approved March third, eighteen hundred and sixty-nine.

Senate Bill No. 16—An Act to amend an Act entitled An Act defining the duties of the Attorney General of the State of Nevada, approved March eleventh, eighteen hundred and sixty-seven.

Senate Bill No. 62—"An Act concerning records now in the custody of County Recorders in this State."

Senate Bill No. 88—An Act entitled An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice of the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one.

Senate Bill No. 98—"An Act to limit the compensation of County Auditors for extending the taxes on the assessment roll."

L. R. BRADLEY.

MOTIONS AND RESOLUTIONS.

By Mr. Phelan:

Resolved, That a special committee of three be appointed by the Chair to visit the State Orphans' Home, and report as to the condition of the same, the number of orphans and half orphans, and also as to the manner in which the State moneys have been expended.

Adopted.

Mr. McClinton, in accordance with previous notice, moved a reconsideration of the vote whereby Assembly Bill No. 43 was lost on yesterday.

Roll called, and motion carried by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Hobart, Lockwood, McCoy, McClinton, Mills, McBeth, Phelan, Stevenson, Varian, Walter, and Wilson—14.

NAYS—Messrs. Cassidy, Eastman, Fox, Hazlett, Hill, Moore, Small, and Thompson—8.

The President appointed Messrs. Phelan, Lockwood, and Wilson as committee to visit and inspect the State Orphans' Home.

Mr. Fox asked leave of absence until one o'clock p. m.

Granted.

Mr. Eastman, by leave, introduced Senate Bill No. 190—An Act amendatory of and supplementary to an Act entitled An Act to create a Board of County Commissioners in the several counties of this State,

and define their duties and powers, approved March eighth, eighteen hundred and sixty-five.

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Judiciary Committee.

Carried.

Mr. McClinton, by leave, introduced Senate Bill No. 191—"An Act to redistrict the State of Nevada."

Read first time.

Mr. McClinton moved that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

Mr. Lockwood introduced Senate Bill No. 192—"An Act to encourage the production and manufacture of native iron in this State."

Mr. Lockwood moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Mr. McCoy, by leave, introduced Senate Bill No. 198—"An Act to encourage the construction of a railroad from the Central Pacific Railroad to the Town of Eureka, State of Nevada."

Mr. McCoy moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Hazlett, by leave, introduced Senate Bill No. 194—"An Act to purchase the compilation of the laws of Nevada."

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Mr. Hazlett moved to amend by referring to Committee of the Whole.

Carried.

Mr. McCoy moved that two hundred and forty copies of Senate Bill No. 198 be ordered printed.

Carried.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 19th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body, Senate Bill No. 115—entitled "An Act to fund the hospital debt of Washoe County and provide for the payment of the same"—which passed the Assembly: Yeas, 39; nays, none.

Also, Substitute for Senate Bill No. 116—An Act to provide for transferring and replacing money of certain Funds of Washoe County—which passed the Assembly: Yeas, 37; nays, none.

Also, Assembly Concurrent Resolution No. 20—Relative to granting leave of absence to Noah Blossom, Treasurer of Douglas County—which passed the Assembly: Yeas, 30; nays, 4.

Also, Senate Bill No. 14—entitled "An Act to create the County of Eureka and provide for its organization"—which was amended as follows: At the end of section one, original bill, add the following: "The County of Eureka shall employ and pay some competent surveyor to

establish the boundary line between the Counties of Lander and Eureka." Also, striking out section four and inserting in lieu thereof a new section. Also, striking out section six and inserting a new section in lieu thereof—which passed the Assembly, as amended, by the following vote: Yeas, 44; nay, 1.

Also, to transmit to your honorable body Assembly Bill No. 47—An Act to amend an Act entitled "An Act concerning wills"—which passed the Assembly: Yeas, 35; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

INTRODUCTION OF BILLS.

Assembly Bill No. 47—An Act to amend an Act entitled "An Act concerning wills."

Read first time.

Mr. Stevenson moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Assembly Concurrent Resolution No. 20—Relative to granting leave of absence to Noah Blossom, Treasurer of Douglas County.

Roll called, and resolution concurred in by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—19.

NAYS—None.

Mr. McClinton moved that the Secretary be requested to ask the Assembly to return Senate Bill No. 44 to the Senate for further consideration.

Carried.

GENERAL FILE.

Senate Bill No. 14—"An Act to create the County of Eureka and provide for its organization"—from Assembly with amendments.

Mr. Cassidy moved that the amendments be considered, and, together with the bill, be acted on as a whole.

Carried.

On which the roll was called, and amendments and bill adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

NAYS—None.

Senate Bill No. 136—An Act to amend an Act entitled "An Act to encourage the construction of a railroad in the eastern portion of Nevada," approved February twenty-first, eighteen hundred and seventy-one.

On motion of Mr. Cleveland, ordered engrossed.

Mr. Cleveland moved to take from the table Assembly Bill No. 15—"An Act to regulate brands and marks of stock."

Carried.

Mr. Small moved to refer the bill to a special committee of one, with instructions to substitute a new section for and in lieu of section one.

Carried.

Mr. Small appointed as such committee, who reported the bill amended as per instructions.

Mr. Small moved that the bill be referred to a special committee of one, with instructions to further amend by a new section, which shall be section ten.

Carried.

Mr. Small appointed as such committee, who reported the bill amended as per instructions.

Mr. Small moved that the bill be referred to a special committee of one, with instructions to make the original section ten section eleven.

Carried.

Mr. Small appointed committee, and reported amendment made as per instructions.

Mr. McClinton moved to refer to a special committee of one, with instructions to insert the word "or" before the word "brand."

Carried.

Mr. McClinton, as such committee, reported the amendment made as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, Stevenson, Thompson, Varian, and Wilson—18.

NAYS—Messrs. Campbell, McBeth, Phelan, Small, and Walter—5.

Mr. Varian moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called.

Quorum present.

On motion of Mr. Thompson, Senate Bill No. 172—"An Act to repeal an Act entitled 'An Act to aid the Nevada Benevolent Association in providing means to erect an insane asylum'"—was taken up.

Mr. Lockwood moved that the bill be placed at the foot of the File.

Carried.

Senate Bill No. 85—"An Act to apportion the payment of the salary of the District Judge of the Fifth Judicial District between Churchill and Nye Counties."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, Moore, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—None.

Mr. Varian moved that the Senate go into Committee of the Whole for the consideration of bills thereto referred.

Carried.

Mr. Varian in the chair.

In time, the committee rose, and presented the following report:

Mr. PRESIDENT: The committee have had under consideration the following bills:

Senate Bill No. 102—An Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada"—to which they have made the following amendments: Strike out in section five, in lines five and six, in printed bill, the words "to be computed in all cases from the Court House," and insert the words "for the distance necessarily and actually traveled." Also, in line three, section five, strike out the words "filing Treasurer's receipts." Also, the word "thereon"—which they report back with recommendation that it pass.

Mr. Phelan moved to adjourn.

Lost.

Mr. Varian moved that the Senate proceed to consider amendments recommended by the Committee of the Whole to Senate Bill No. 102.

Carried.

The amendments of Committee of the Whole were acted on seriatim, and adopted.

On motion of Mr. Varian, the bill was ordered engrossed.

Mr. McBeth moved to adjourn.

Carried.

So, at four o'clock and thirty minutes P. M., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

IN SENATE—FORTY-SEVENTH DAY.

CARSON CITY, February 21st, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Wilson—23.

Absent—Mr. Walter—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

Mr. Hill asked leave of absence for Mr. Walter for the day.

Leave granted.

Mr. Phelan moved that when the Senate adjourn to-day, it be until Monday next, at eleven o'clock A. M.

Carried.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Roads and Bridges, to which was referred the Substitute Assembly Bill No. 18—An Act in relation to public highways—report that they have had the same under consideration, have come to an unfavorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the recommendation that it do not pass.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 116—"An Act to provide for transferring and replacing certain Funds of Washoe County;"

Also, Senate Bill No. 115—"An Act to fund the hospital debt of Washoe County and provide for the payment of the same;"

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 193—entitled An Act to encourage the construction of a railroad from the Central Pacific Railroad to the Town of Eureka, State of Nevada—with the original copy thereof, and find it correctly engrossed.

ISRAEL CRAWFORD, Chairman.

Mr. Mills, from the State Prison Committee, presented a report on Senate Bill No. 20, and moved that the bill, together with the proposed amendments, be referred to the Committee of the Whole.

Carried.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 126—An Act supplementary to an Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine;

Also, Senate Bill No. 136—An Act to amend an Act entitled "An Act to encourage the construction of a railroad in the eastern portion of the State of Nevada," approved February twenty first, eighteen hundred and seventy-one;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,

Committee.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 20th, 1873. }

To the honorable the Senate:

I have the honor herewith to re-transmit, for the consideration of your honorable body, Assembly Bill No. 44—entitled “An Act to amend an Act entitled An Act to provide for the registration of the names of electors, and to prevent fraud at elections”—as per order of the Assembly of this date.

Also, Assembly Bill No. 29—“An Act for the government and maintenance of the State Orphans’ Home”—the Assembly refusing to concur in the Senate amendments, and asking your honorable body to recede therefrom.

Also, Assembly Bill No. 70—“An Act to incorporate a State Agricultural Society and provide for the management thereof”—which passed the Assembly: Yeas, 45; nays, none.

Also, Assembly Bill No. 75—An Act to amend section twelve of an Act entitled An Act to further amend an Act entitled “An Act to provide revenue for the support of the government of the State of Nevada,” approved March first, eighteen hundred and sixty-six—which passed the Assembly: Yeas, 42; nays, none.

Also, Assembly Bill No. 74—“An Act to exempt from forced sale on execution all private cabinets of mineral specimens, curiosities, and ancient or curious coins”—which passed the Assembly: Yeas, 28; nays, 18.

Also, return to your honorable body Senate Memorial and Concurrent Resolution No. 57—“Relative to coal lands in the State of Nevada”—which passed the Assembly: Yeas, 40; nays, none.

Also, Senate Bill No. 13—“An Act to compel children to attend school”—which passed the Assembly: Yeas, 35; nays, 5.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

INTRODUCTION OF BILLS.

Mr. Mills, in accordance with previous notice, introduced Senate Bill No. 197—“An Act to apportion the Senatorial representation of White Pine County.”

Read first time.

Mr. Mills moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Varian, without previous notice, introduced Senate Bill No. 198—“An Act to provide for the erection of county buildings in Humboldt County.”

Mr. Varian moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Humboldt County delegation.

Carried.

Assembly Bill No. 74—“An Act to exempt from forced sale on execu-

tion, all private cabinets of mineral specimens, curiosities, and ancient or curious coins."

Mr. Mills moved that the bill be laid on the table.

Carried.

Assembly Bill No. 70—"An Act to incorporate a State Agricultural Society, and provide for the management thereof."

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Agriculture.

Carried.

Assembly Bill No. 75—An Act to amend section twelve of an Act entitled An Act to further amend "An Act to provide revenue for the support of the government of the State of Nevada," approved March first, eighteen hundred and sixty-six.

Read first time.

Mr. Eastman moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 21st, 1873. }

To the honorable the Senate:

I have this day approved, and deposited in the office of the Secretary of State, the following named bills:

Senate Bill No. 18—An Act to amend "An Act to regulate proceedings in civil cases in the Courts of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

Senate Bill No. 26—"An Act to provide for the government of the cities and towns of this State."

L. R. BRADLEY.

GENERAL FILE.

Senate Bill No. 143—"An Act providing for the taxation of borax and soda mines and claims."

On motion of Mr. Hazlett, bill ordered engrossed.

By Mr. Stevenson, on leave:

Mr. PRESIDENT: Your Standing Committee on Education, to which was referred Senate Bill No. 159—"An Act amendatory of the school law"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate with the following amendment, and recommend its passage: After the figures "1871," section fourteen, third line, insert "also, An Act entitled an Act concerning teachers of common schools in this State," approved January twenty-sixth, eighteen hundred and sixty-five.

Mr. Stevenson moved that the amendments recommended by the committee be adopted and the bill ordered engrossed.

Carried.

Senate Bill No. 151—"An Act for the relief of the California Institution for the Education of the Deaf, Dumb, and Blind."

Read third time and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, McBeth, Small, Stevenson, Thompson, and Wilson—17.

NAYS—None.

Senate Bill No. 171—An Act to repeal an Act entitled "An Act to provide for the removal of county seats and the permanent location of the same," approved March second, eighteen hundred and sixty-seven.

Mr. McBeth moved to refer the bill to Committee of the Whole.

Lost.

Roll called, and bill lost by the following vote:

YEAS—Messrs. Clapp, Davenport, Hazlett, Lockwood, McClinton, Moore, and Varian—7.

NAYS—Messrs. Campbell, Crawford, Eastman, Fox, Hill, Hobart, McCoy, Mills, McBeth, Phelan, Small, Stevenson, Thompson, and Wilson—14.

Substitute for "Senate Concurrent Resolution No. 47—Relative to the Central Pacific Railroad Company obtaining patents to lands."

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Wilson—21.

NAYS—None.

Senate Bill No. 71—"An Act to authorize the temporary use of money levied and collected for the Building Fund of Washoe County, for certain purposes."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Phelan, Small, Stevenson, Thompson, and Wilson—19.

NAYS—None.

Assembly Bill No. 43—"An Act to secure photographs of State Prison convicts."

Read third time, and lost by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Hazlett, Hobart, Lockwood, McCoy, McClinton, Mills, Stevenson, and Wilson—12.

NAYS—Messrs. Cassidy, Davenport, Eastman, Fox, Hill, Phelan, Small, and Thompson—8.

Senate Bill No. 44—An Act to amend an Act entitled "An Act to provide for the registration of the names of electors, and to prevent fraud at elections."

Mr. McClinton, in accordance with previous notice, moved that the vote whereby the above bill was lost be now reconsidered.

Carried.

Mr. McClinton moved to place the bill at the foot of the File.

Carried.

Assembly Bill No. 29—"An Act for the government and maintenance of the State Orphans' Home"—received from the Assembly, with the request that the Senate recede from Senate amendments.

Roll called on the question of receding from the first amendment, and the Senate refused to recede by the following vote:

YEAS—Messrs. Davenport, Eastman, Hazlett, McClinton, McBeth, Stevenson, Thompson, and Varian—8.

NAYS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Fox, Hill, Hobart, Lockwood, McCoy, Mills, Moore, Phelan, Small, and Wilson—15.

Roll called on the second amendment; the Senate refused to recede by the following vote:

YEAS—Messrs. Cassidy, Davenport, McClinton, Mills, Moore, Stevenson, Thompson, and Varian—8.

NAYS—Messrs. Campbell, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hobart, Lockwood, McCoy, McBeth, Phelan, and Small—13.

Mr. Phelan moved that the Senate do not recede from the third amendment.

Carried.

Mr. Phelan moved that the President appoint a committee of conference to consider amendments to Assembly Bill No. 29.

Carried.

Mr. Phelan moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President in the chair.

Roll called.

Quorum present.

Mr. McCoy moved that Senate Bill No. 193—"An Act to encourage the construction of a railroad from the Central Pacific Railroad to the Town of Eureka, Nevada"—be made special order for Monday, at twelve o'clock M.

Mr. Moore moved to amend by making Senate Bills Nos. 193 and 136 the special order for Wednesday next, at twelve o'clock M.

Carried.

By Mr. Phelan, on leave:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to procure and lay a line of planks from the Capitol to Carson street, the expenses of which shall be paid out of the Contingent Fund of the Senate; and he is hereby authorized to draw his warrant for such expenses.

Adopted.

REPORTS OF STANDING COMMITTEES (by leave).

Mr. PRESIDENT: Your Standing Committee on Judiciary, to which was referred Senate Bill No. 184—entitled “An Act to prevent frauds on petitioners”—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate with the recommendation that it be indefinitely postponed.

Also, Senate Bill No. 112—entitled “An Act in relation to the removal of county seats”—report the same to the Senate with the recommendation that it be indefinitely postponed.

Also, Senate Bill No. 177—entitled “An Act to amend sections one hundred and twenty-three and one hundred and twenty-four of title four of the Practice Act”—which they recommend be indefinitely postponed.

Also, Senate Bill No. 185—entitled “An Act concerning the compensation of registry agents”—which they recommend be indefinitely postponed.

Also, Assembly Bill No. 47—entitled An Act to amend an Act entitled “An Act concerning wills”—which they recommend do pass.

Also, Assembly Bill No. 9—entitled An Act to amend “An Act to regulate proceedings in civil cases”—report the same to the Senate with the recommendation that it be indefinitely postponed, a bill of similar import having already passed the Senate.

Also, Senate Bill No. 190—entitled An Act to amend “An Act to create a Board of County Commissioners”—which they report to the Senate with the accompanying amendments, and recommend its passage as amended.

W. W. McCOY, Chairman.

Mr. PRESIDENT: Your Standing Committee on Claims, to which was referred the claims of Richard Mills, for seventeen dollars and fifty one hundredths dollars; Geo. W. Fitzmeyer, for nine dollars, and E. B. Rail, for fifty-two dollars and fifty one hundredths dollars, for supplies furnished, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate with the accompanying resolution, directing their payment:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate in favor of the herein-named parties, as follows:

Richard Mills.....	\$17 50
Geo. W. Fitzmeyer.....	9 00
E. B. Rail.....	52 50

Adopted.

JAMES PHELAN,
Chairman Committee on Claims.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 31—An Act to incorporate the Ancient Order of Hiber-

nians—has been carefully compared with the engrossed bill, and has this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Assembly Bill No. 69—entitled An Act to amend "An Act to provide for the incorporation of religious, charitable, literary, scientific, and other associations," approved March second, eighteen hundred and sixty-seven—report that they have carefully considered the same, and have come to a favorable conclusion thereon, and recommend that it do pass.

WILSON, Chairman.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 21st, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body, Senate Bill No. 23—entitled "An Act relative to the sureties on the official bond of Eben Rhoades, late State Treasurer of the State of Nevada," the same having this day passed the Assembly by the following vote: Yeas, 33; Nays, 12.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

The President announced his appointment of Senators Phelan, Eastman, and Fox, as committee of conference on Assembly Bill No. 29.

Senate Bill No. 126—An Act supplementary to an Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine.

Mr. Mills moved to lay the bill on the table.

Carried.

Substitute for Assembly Bill No. 18—"An Act in relation to public highways."

Mr. Thompson moved to lay the bill on the table.

Carried.

Senate Bill No. 124—"An Act relating to Sheriffs."

Mr. Thompson moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 92—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

Amendments by Judiciary Committee adopted, and bill ordered engrossed.

Senate Bill No. 100—An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March ninth, eighteen hundred and sixty-five.

Laid on the table.

Mr. Mills asked leave of absence until Wednesday evening.

Leave granted.

Senate Bill No. 108—An Act entitled "An Act for the payment of the salaries of District Attorneys of the several counties of this State."

Ordered engrossed.

Senate Bill No. 25—An Act to amend section three of an Act entitled "An Act to provide for the registration of the names of electors, and to prevent fraud at elections," approved March fifth, eighteen hundred and sixty-nine.

Laid on the table.

Senate Bill No. 95—An Act to amend an Act entitled "An Act to create the office of State Mineralogist and define the duties of such officer," approved March first, eighteen hundred and sixty-nine.

Mr. Hazlett moved to refer the bill to Committee of the Whole.

Carried.

Senate Bill No. 105—An Act to amend an Act entitled "An Act providing for the taxation of the net proceeds of mines."

Ordered engrossed.

Senate Bill No. 117—"An Act for the relief of John Kane, late Sheriff of Lincoln County."

Referred to Committee on Claims.

Senate Bill No. 99—"An Act to appropriate funds for the preparation and publication of the eighth and ninth volumes of the Nevada Reports."

On motion of Mr. Hazlett, referred to the Committee of the Whole.

Carried.

Senate Bill No. 137—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act relative to attorneys and counselors at law,' approved October thirty-first, eighteen hundred and sixty-one;" approved March fourth, eighteen hundred and seventy-one.

Amendments recommended by Judiciary Committee adopted, and bill ordered engrossed.

Senate Bill No. 92—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

Mr. Eastman moved that the amendments recommended by Judiciary Committee be adopted, and the bill ordered engrossed.

Carried.

REPORT OF JOINT COMMITTEE ON COMPILATION OF THE LAWS (by leave).

Mr. PRESIDENT: The Joint Committee on Compilation beg leave to report as follows:

They have had the work presented by Messrs. Bonnifield and Healy, and the work of Mr. Desty, under careful consideration. The committee were required to report on the comparative merits and values of these two compilations. In obedience, therefore, to this expressed wish of the Legislature, the committee feel compelled to declare in favor of the work of Mr. Desty. In their opinion, the arrangement adopted by Mr. Desty, which is alphabetical, is better adapted to the wants of lawyers and business men generally. His work, in all places, gives a complete history of the legislation had upon the subject considered.

The attention of your committee was also drawn to the prices asked for the different works. Mr. Desty proposed to deliver to the Secretary of State, at his own expense, already bound in excellent style, six hundred volumes, for the sum of seven thousand two hundred dollars, or one thousand copies at ten thousand dollars. Messrs. Bonnifield and Healy ask for their manuscript copy the sum of eight thousand dollars,

or for one thousand volumes (which is five hundred copies), already bound, ten thousand dollars.

Your committee have made careful estimates of the cost of printing this copy, and find it as follows:

The work of Messrs. Bonnifield & Healy it is estimated will comprise eighteen hundred pages of matter.

Type setting, at \$3 34 per page.....	\$6,012 00
Presswork—282 tokens.....	423 00
Binding 1200 volumes (600 copies, 2 vols. each).....	2,400 00
Paper, 70 reams.....	350 00
Total cost of printing and binding.....	\$9,185 00

This cost, added to the price which Messrs. Bonnifield & Healy ask for their manuscript copy (eight thousand dollars), amounts to the sum of seventeen thousand one hundred and eighty-five dollars, or twenty-eight dollars and sixty-four cents per copy, being nine thousand nine hundred and eighty-five dollars more than the same number of copies of the work of Mr. Desty; and the proposition of Messrs. Bonnifield & Healy, of one thousand volumes for ten thousand dollars—the State to furnish printed copies of the Acts of this session—is a proposition very little better, since one thousand volumes means only five hundred copies of the compiled laws, or twenty dollars per copy, opposed to ten dollars per copy of Mr. Desty's work.

Thus, in point of economy the purchase of the work of Mr. Desty would be a saving of, in the one instance, nine thousand nine hundred and eighty-five dollars, and in the other instance, in an edition of one thousand copies, a saving of ten thousand dollars to the State, while a book would be furnished which is in every respect adapted to the wants of the legal profession and the public.

Finally, it is of course for this Legislature to decide whether the State should purchase either of these compilations. Your committee can only heartily indorse the work of Mr. Desty, and recommend its purchase at his figures, believing that they are more moderate than the prices usually attached to law books of this kind.

Your committee therefore report the accompanying bill for an Act, and recommend that it do pass.

J. G. McCLINTON,
Senate Committee.

F. V. DRAKE,
F. W. COLE,
Assembly Committee.

Mr. McClinton, by leave, introduced Senate Bill No. 202—"An Act to provide for the publication of the several laws of this State, in force at the expiration of the sixth session of the Legislature."

Mr. McClinton moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

Senate Bill No. 138—"An Act to consolidate the offices of Lieutenant Governor and State Librarian."

Referred to Committee of the Whole.

By Mr. Wilson, on leave:

Mr. PRESIDENT: Your special committee, to which was referred Senate Bill No. 117—entitled "An Act for the relief of John Kane, Sheriff of Lincoln County," report that they have determined to return it without recommendation, and ask that it be referred to the Committee on Claims.

Mr. Phelan moved to adjourn.

Lost.

Substitute for Assembly Bill No. 21—"An Act to provide for obtaining a correct statement of the financial condition of the several counties of this State and other matters of statistical information."

Read third time and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McBeth, McCoy, McClinton, Phelan, Small, Stevenson, Thompson, Varian, and Wilson—21.

NAYS—None.

Senate Concurrent Resolution No. 139—Relative to payment of Emanuel Penrod.

Referred to Committee on Claims.

Senate Bill No. 162—"An Act regulating the mortgage of personal property."

Ordered engrossed.

Mr. Phelan moved to adjourn.

Lost.

Senate Bill No. 155—"An Act to provide for an insane asylum."

Mr. McClinton moved to indefinitely postpone.

Lost.

Mr. Phelan moved the bill be ordered engrossed.

Carried.

Mr. Phelan moved to adjourn.

Lost.

Senate Bill No. 107—"An Act to provide for the destruction of noxious animals within this State."

Mr. Phelan moved the bill be ordered engrossed.

Carried.

Mr. Phelan moved to adjourn.

Lost.

Senate Bill No. 103—"An Act to provide for the transportation of convicts and insane persons."

On motion, referred to Committee of the Whole.

Mr. Phelan moved to adjourn.

Lost.

Senate Bill No. 153—"An Act concerning equitable claims and accounts against counties."

Ordered engrossed.

Senate Bill No. 160—"An Act relating to the duties of the Secretary of State."

Amendments recommended by Committee on Ways and Means adopted, and bill ordered engrossed.

Mr. Phelan moved to adjourn.

Lost.

Senate Bill No. 171—"An Act to provide for the normal instruction of persons intending the profession of teaching in Nevada."

Ordered engrossed.

Mr. Phelan moved to adjourn.

Lost.

Senate Bill No. 149—"An Act to place in the method of government equities arising under passes, free in this State."

Mr. Thompson moved to lay on the table.

Carried.

Senate Bill No. 170—"An Act to regulate compensation of County Commissioners."

Ordered engrossed.

Senate Bill No. 109—"An Act to provide for the erection of a State Prison."

Ordered engrossed.

Senate Bill No. 73—"An Act entitled 'An Act to regulate the sale of poisonous drugs, medicines, and patent medicines.'"

Laid on the table.

Senate Bill No. 104—"An Act to encourage the discovery and development of coal mines in this State."

Mr. McBeth moved that the bill be laid on the table.

Carried.

Substitute for Senate Bill No. 91—"An Act to regulate the salaries of County Auditors."

Ordered engrossed.

Mr. McClinton moved to adjourn.

Roll called, and motion lost by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Hobart, McClinton, and Phelan—8.

NAYS—Messrs. Cassidy, Eastman, Fox, Hazlett, Hill, Lockwood, McCoy, Moore, McBeth, Small, Stevenson, Thompson, Varian, and Wilson—14.

Senate Bill No. 152—"An Act to provide for the payment of the claims of Calvin Swift."

On motion of Mr. Phelan, ordered engrossed.

Senate Bill No. 134—"An Act to provide for submitting the question of removal of the county seat of Humboldt County to a vote of the qualified electors thereof."

Mr. McBeth asked leave to withdraw the bill.

Leave granted.

Mr. Phelan moved to adjourn.

Lost.

Senate Bill No. 158—"An Act to provide for the selection and sale of lands that have or may hereafter be granted by the United States to the State of Nevada."

Mr. Lockwood moved to adjourn.

Carried.

So, at three o'clock and twenty minutes P. M., the Senate adjourned until Monday, the twenty-fourth, at eleven o'clock A. M.

Approved: ISRAEL CRAWFORD, President pro tem.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

IN SENATE—FIFTIETH DAY.

CARSON CITY, February 24th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent, on leave—Mr. Mills—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of Friday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Standing Committee on Claims, to which was referred "Senate Concurrent Resolution No. 139—Relative to payment of claims of Emanuel Penrod"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, recommending its passage.

JAS. PHELAN, Chairman.

MR. PRESIDENT: Your Standing Committee on Agriculture and Manufactures, to which was referred Senate Bill No. 176—"An Act to encourage the artificial cultivation and propagation of fish in the State of Nevada"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend that it do pass.

JAS. W. SMALL, Chairman.

MR. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 143—entitled "An Act providing for the taxation of borax and soda mines and claims;"

Also, Senate Bill No. 160—"An Act relating to the duties of the Secretary of State;"

Also, Substitute for Senate Bill No. 91—"An Act to regulate the salaries of County Auditors;"

Also, Senate Bill No. 109—"An Act to provide for the erection of a State Prison;"

Also, Senate Bill No. 170—"An Act to regulate compensation of County Commissioners;"

Also, Senate Bill No. 102—"An Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada;"

Also, Senate Bill No. 171—"An Act to provide for the normal instruction of persons intending the profession of teaching in the State of Nevada;"

Also, Senate Bill No. 107—"An Act to provide for the destruction of noxious animals within this State;"

Also, Senate Bill No. 137—"An Act to amend an Act entitled "An Act relative to attorneys and counselors;"

Also, Senate Bill No. 105—"An Act to amend an Act entitled "An Act providing for the taxation of the net proceeds of the mines;"

Also, Senate Bill No. 159—"An Act amendatory of an Act entitled "An Act to provide for the maintenance of the public schools;"

Also, Senate Bill No. 124—"An Act to amend An Act of the Governor and Legislative Assembly of the Territory of Nevada, entitled "An Act relating to Sheriffs," approved November twenty-eighth, eighteen hundred and sixty-one;

Also, Senate Bill No. 155—"An Act to provide for an insane asylum;"

Also, Senate Bill No. 108—"An Act entitled an Act for the payment of the salaries of District Attorneys of the several counties of this State;"

[Also, Senate Bill No. 153—"An Act concerning equitable claims and accounts against counties;"]

Also, Senate Bill No. 152—"An Act to provide for the payment of the claim of Calvin Swift;"

Also, Senate Bill No. 92—"An Act to amend an Act entitled An Act concerning crimes and punishments;"

With the original copies thereof, and find them correctly engrossed.

ISRAEL CRAWFORD, Chairman.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 13—"An Act to compel children to attend school;"

Also, Senate Bill No. 14—"An Act to create the County of Eureka and provide for its organization;"

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

Also, Senate Memorial and Concurrent Resolution No. 57—Relative to coal lands in the State of Nevada—has been deposited with Secretary of State.

A. J. LOCKWOOD, Chairman.

Mr. PRESIDENT: Your Standing Committee on Ways and Means, to which was referred Senate Bill No. 174—"An Act prescribing an additional penalty for the non-payment of taxes in certain cases after suit—

report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate, and recommend that it be referred to the Judiciary Committee.

Also, Assembly Bill No. 75—An Act to amend section twelve of an Act entitled "An Act to further amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" approved March first, eighteen hundred and sixty-six—and recommend that the same do pass.

J. C. HAZLETT, Chairman.

[Mr. Hazlett, from the Standing Committee on Ways and Means, to which was referred Senate Bill No. 167—"An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties, and to establish their pay—reported that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend that it do pass.]

REPORTS OF SPECIAL COMMITTEES.

Minority report of Special Committee on Compilation.

To the honorable the Senate and Assembly:

The undersigned, members of the joint committee appointed to examine Bonnifield and Healy's compilation of the laws of Nevada, respectfully submit the following minority report:

We have carefully examined the major portions of said work and find it correct in matter and most excellently and logically arranged in form. Not only does the arrangement and plan of the work especially meet our approbation, and not only ours, but that of ex-Chief Justice Lewis and ex-Justice Garber, of the Supreme Court, and the entire present Bench, besides a number of gentlemen of the highest standing of the legal profession, who have examined it. The plan and arrangement of the work is such that under a given chapter you will find all the laws on a given subject, and all laws upon kindred subjects are grouped together in separate chapters, with numerous notes and references, and a digest of the decisions of the Supreme Court upon statute and constitutional law. The *syllabi* are given, which obviates the necessity of examining the several volumes of Nevada Reports, and where a reference is made to a statute, the section of the compilation is given, thus enabling a person to turn at once to the matter referred to.

The compilation of Mr. Desty, of California, to which the majority of the committee refer, is alphabetically arranged, and hence you find laws upon the same subject scattered throughout the work. His references to the decisions of the Supreme Court are not only meager, but the number of the volume and page is only given; hence, if it is desired to see the point decided, you must hunt up the volume and page of the report, and in most instances, where he makes reference to any statute, he simply refers to the subject matter, without giving the page or section where it may be found. Thus, for example, he says in his note: "See Courts of justice," and if you desire to see the matter referred to you must turn to the index, or go through the volumes of compilation to find "Courts of justice," or any other matter referred to.

Besides, in the first volume of this California compilation of Mr.

Desty, sixty-five instances occur where he has inserted laws which were repealed, and left out laws which have not been repealed or superseded. These many errors have been found in his first volume simply by a cursory examination; what errors there are in the second volume we don't know, because that has not been examined. Besides, Mr. Desty has been, for the last two weeks, correcting his compilation by that of Bonnifield and Healy, and has not yet corrected the same.

This California compilation of Mr. Desty's, with all of its inaccuracies and gross errors, is brought into competition with the Nevada compilation of Bonnifield and Healy, and the majority of the committee base their preference for it upon the fact, mainly, that Mr. Desty proposes to sell his work cheaper than the other, forgetting the fact that an erroneous compilation is dear at any price, whilst a correct one is invaluable.

The majority of the committee give an estimate of the relative cost of printing and binding the two works, which estimate was made for the committee by its clerk, Mr. King. As to his qualifications as an expert in that line of business we are not advised, but one of the undersigned, from his practical experience, knows that the estimate of the cost of the printing and binding is as erroneous as the first volume of the California compilation; besides, Bacon & Co., who published the Nevada Reports, and who carefully examined Bonnifield and Healy's compilation, with the view of ascertaining the cost of publishing it, made their estimate at from three thousand seven hundred and fifty to four thousand dollars.

In conclusion, we respectfully submit that a correct compilation of the laws has become a necessity. The experience of Bonnifield and Healy in their ten years of practice as attorneys at law, and their familiarity with the statutes, would be a sufficient guarantee of the superiority of their work over this California compilation, gotten up by a citizen of California, without any practice under, or former knowledge of the statutes of Nevada.

Messrs. Bonnifield and Healy have spent over fifteen months in perfecting their compilation, and have taken great care and pains therewith. Aside from his other qualifications as a compiler, Mr. Bonnifield has not only large experience in legislation, but a widespread and credible notoriety as a practical legislator.

The legal profession at the bar, Supreme and District Judges, State and county officers, and the public generally, who have occasion to consult the statutes, ask and expect of us to provide a compilation. We therefore most earnestly and respectfully recommend to the Legislature to procure Bonnifield and Healy's compilation of the laws.

H. C. STREET,
C. S. VARIAN.

MR. PRESIDENT: Your select committee, consisting of the Humboldt County delegation, to which was referred Senate Bill No. 198—entitled "An Act to provide for the erection of county buildings in Humboldt County"—report that they have had the same under consideration, and disagreeing thereon, report the same back to the Senate without recommendation.

VARIAN, Chairman.

By Mr. Moore, from the Elko County delegation, to which was referred Senate Bill No. 183—"An Act to authorize the Board of County Commissioners of Elko County to issue bonds payable from the Build-

ing Fund, and to levy a tax to provide for payment thereof"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and report the same to the Senate, with the recommendation that it do pass.

On motion of Mr. Moore, the bill was ordered engrossed.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 24th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, the following named bills:

Senate Bill No. 115—"An Act to fund the hospital debt of Washoe County, and to provide for the payment of the same."

Substitute for Senate Bill No. 116—"An Act to provide for transferring and replacing certain funds of Washoe County."

L. R. BRADLEY.

MOTIONS AND RESOLUTIONS.

Mr. Phelan moved that the rules be suspended and the Committee on Claims be increased by the appointment of two members.

Carried.

The President appointed Senators Lockwood and McBeth.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 21st, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body, Senate Bill No. 118—entitled An Act to amend an Act entitled "An Act authorizing a State loan and levying a tax to provide means for the payment thereof," approved February twenty-seventh, eighteen hundred and seventy-one—which passed the Assembly: Yeas, 40; nay, 1.

Also, Senate Bill No. 119—entitled An Act to amend an Act entitled "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February sixth, eighteen hundred and sixty-seven, and to fund the floating debt and place the State upon a permanent cash basis," approved February twenty-seventh, eighteen hundred and seventy-one, which passed the Assembly: Yeas, 41; nay, 1.

Also, Senate Bill No. 135—entitled "An Act to define the time for levying and assessing taxes for State and county purposes"—which passed the Assembly: Yeas, 40; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

COMMUNICATION FROM SECRETARY OF STATE.

To the honorable the Senate:

I have the honor to transmit herewith a "Memorial from the National Board of Trade" to your honorable body.

Very respectfully,

J. D. MINOR,
Secretary of State.

INTRODUCTION OF BILLS.

Mr. McClinton, without previous notice, introduced Senate Bill No. 203—An Act to provide for the removal of the county seat of Esmeralda County.

Mr. McClinton moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Esmeralda delegation.

Carried.

Mr. Small, without previous notice, introduced Senate Bill No. 204—"An Act to provide for the manner and mode of electing the County Commissioners of the several counties in this State."

Mr. Small moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Moore, in accordance with previous notice, introduced Senate Bill No. 205—"An Act to abolish the office of State Printer and to provide for the public printing."

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Printing, and two hundred and forty copies ordered printed.

Carried.

Mr. Hazlett, without previous notice, introduced Senate Concurrent Resolution No. 206—Relative to the appointment of a commission to prepare a formula for the keeping of records and accounts in the various departments of State, county, and municipal government of the State of Nevada.

Mr. Hazlett moved that the reading had be considered the first reading of the resolution; that the rules be suspended; read the second time by title, and referred to the Committee on State Affairs.

Carried.

Mr. Wilson, in accordance with previous notice, introduced Senate Bill No. 207—"An Act to legalize certain acts of the Board of County Commissioners of Lincoln County."

Read first time.

Mr. Wilson moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

GENERAL FILE.

Substitute for Assembly Bill No. 18—"An Act concerning public highways."

Read third time, and lost by the following vote:

YEAS—Messrs. Eastman and Thompson—2.

NAYS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Moore, McBeth, Small, Stevenson, Varian, Walter, and Wilson—18.

Assembly Bill No. 47—An Act to amend an Act entitled "An Act concerning wills," approved December nineteenth, eighteen hundred and sixty-two.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McCoy, McClinton, Moore, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

Assembly Bill No. 9—An Act to amend "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

Indefinitely postponed.

Assembly Bill No. 69—An Act to amend an Act entitled "An Act to provide for the incorporation of religious, charitable, literary, scientific, and other associations," approved March second, eighteen hundred and sixty-seven.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—18.

NAYS—None.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 23—An Act relating to the sureties on the official bond of Eben Rhoades, late State Treasurer of the State of Nevada—has been carefully compared with the engrossed bill, found correctly enrolled, and was, on February twenty-first, handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

Senate Bill No. 198—"An Act to provide for the erection of county buildings in Humboldt County, and for the issuance of bonds therefor."

On motion of Mr. Varian, bill ordered engrossed.

Senate Bill No. 153—"An Act concerning equitable claims and accounts against counties."

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAYS—None.

Senate Bill No. 155—"An Act to provide for an insane asylum."

On motion, placed at foot of File.

Senate Bill No. 124—An Act to amend "An Act of the Governor and Legislative Assembly of the Territory of Nevada," entitled "An Act relating to Sheriffs," approved November twenty-eighth, eighteen hundred and sixty-one.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAYS—None.

Senate Bill No. 159—An Act amendatory of an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March twentieth, eighteen hundred and sixty-five, and Acts amendatory thereof.

Mr. Varian moved to refer to a special committee of one, with instructions to amend by adding section eleven.

Carried.

President appointed Mr. Varian as such committee, who reported the amendment as per instructions.

Mr. Varian moved to refer the bill to a special committee of one, with instructions to strike out section thirteen.

Lost.

Mr. Cleveland moved to refer the bill to a special committee of one, with instructions to strike out the last line of printed bill.

Mr. Phelan moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hill, Moore, McBeth, Phelan, Small, Stevenson, and Thompson—14.

Absent—Messrs. Cassidy, Hazlett, Hobart, Lockwood, McCoy, McClinton, Varian, Walter, and Wilson—8.

Mr. Cleveland moved a call of the Senate.

Carried.

Roll called, and the following Senators present:

Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Moore, McBeth, Small, Stevenson, and Thompson—12.

Absent—Messrs. Cassidy, Fox, Hobart, Lockwood, McClinton, Phelan, Varian, Walter, and Wilson—9.

Senators Cassidy, Lockwood, McClinton, Fox, and Phelan appearing at the bar of the Senate, were, on motion, excused.

Mr. Thompson moved that further proceedings under the call of the Senate be dispensed with.

Carried.

Senate Bill No. 159 resumed.

The President appointed Mr. Cleveland a special committee, with instructions to strike out as per motion previous to recess, who reported amendments made as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAY—Mr. Lockwood—1.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 24th, 1873. }

To the honorable the Senate of Nevada:

I have the honor to return herewith to your honorable body, without my approval, Senate Bill No. 23—"An Act relating to the sureties on the official bond of Eben Rhoades, late State Treasurer of the State of Nevada."

The only motive which impels me to this conclusion is a sense of public duty. Differences of opinion between coördinate and equal departments of the State government are to be regretted, but the responsibilities which may be cast upon either in the course of the performance of its appropriate tasks should not be avoided.

There are but two hypotheses as to the springs of your legislative intent in this matter. The one, that a state of facts exist which would constitute a perfect defense to the claim of the State in the ordinary forum of litigation. It may be suggested that if this were the sole ground of your action in the premises, the passage of this Act would be a palpable infringement of the Constitution, and therefore a nullity. It would be a manifest usurpation of judicial functions, not to be tolerated by either the Executive or the Bench. The truth of the allegation that any portion of the public funds was abstracted during the first term of the defaulting Treasurer has been negatived so promptly by the verdict of a jury that not a shadow of foundation remains for the assertion.

The second of your supposed purposes may be deemed a charitable one. I cannot concur in the opinion that this is a fit occasion for its exercise. The funds of the State have been embezzled. In the discharge of the obligations of governmental honor the State has conveyed thousands of acres of her valuable lands, in exchange for which she will never receive a cent. The Constitution declares that the School Fund, composed of the proceeds of these lands, shall be inviolable and irreducible. Your action in effect deprives the State of all recourse against the sureties who have guaranteed the honesty of the official custodian of this Fund. Is there any distinction in principle between the gift of so much money from the Treasurer's vault, and the release of a liability certain to be pushed to payment by energetic prosecution?

I cannot concur in such liberality. The imploring appeal which these debtors of the State have made to your benevolence, is their last struggle to avoid an inevitable responsibility. No diligence in defense, no offer of an equitable compromise, has been shown on their part. Their attempted defense has been frivolous and technical. The law, which operates uniformly on every citizen, should be allowed in this instance to take its just and equal course.

L. R. BRADLEY.

Mr. Varian moved that the message and bill be made the special order for to-morrow, at twelve o'clock M.

Mr. Phelan moved to amend by making it the special order for Wednesday morning, immediately after reading the Journal.

Carried.

Senate Bill No. 102—An Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March ninth, eighteen hundred and sixty-five.

Mr. McBeth moved to refer the bill to a special committee of one, with instructions to amend by inserting between the words "bail" and "two," in line forty-one, printed bill, page eleven, "for each prisoner, for any one term of Court, or any examination on writ of habeas corpus to give bail."

Carried.

The President appointed Mr. McBeth as such committee, who reported the bill amended as per instructions.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—None.

REPORT OF SPECIAL COMMITTEE (by leave).

Mr. PRESIDENT: Your special committee to which was referred Senate Bill No. 203—"An Act to provide for the removal of the county seat of Esmeralda County"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with recommendation that it pass.

McCLINTON, Chairman.

Mr. McClinton moved that the bill be ordered engrossed.

Carried.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 162—entitled "An Act regulating the mortgage of personal property"—with the original copy thereof, and find it correctly engrossed.

THEO. S. DAVENPORT,
ROBT. MCBETH,
Committee.

Mr. Varian moved that the Senate go into Committee of the Whole, for the consideration of Senate Bill No. 20—"An Act to provide for the government of the State Prison of the State of Nevada."

Carried.

Mr. Varian in the chair.

In time, the committee rose, and presented the following report:

Mr. PRESIDENT: Your committee have had under consideration the following bills:

Senate Bill No. 20—"An Act to provide for the government of the State Prison of the State of Nevada"—which they report back, report progress, and ask leave to set again.

Also, Assembly Bill No. 57—"An Act for the relief of R. Webber and D. B. Collins"—which they report back with clerical amendments, and recommend its passage.

Also, Senate Bill No. 158—"An Act to provide for the selection and sale of lands that have or may hereafter be granted [by the United States] to the State of Nevada"—which they report back, and recommend it be engrossed and passed.

Also, Senate Bill No. 99—"An Act to appropriate funds for the preparation and publication of the eighth and nine volumes of the Nevada Reports."

Also, Senate Bill No. 95—An Act to amend an Act entitled "An Act to create the office of State Mineralogist, and define the duties of such officer," approved March first, eighteen hundred and sixty-nine—which they report back with the amendments reported by Committee on Ways and Means, and recommend it be engrossed and passed as amended.

Also, Senate Bill No. 194—"An Act to purchase the compilation of the laws of Nevada"—on which your committee report progress, and ask leave to set again.

Mr. Phelan moved to adjourn.

Carried.

So, at four o'clock and fifty minutes P. M., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FIFTY-FIRST DAY.

CARSON CITY, February 25th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—22.

Absent, on leave—Mr. Mills.

Absent—Mr. Varian.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Judiciary, to which was referred Senate Bill No. 174—"An Act prescribing an additional penalty for the non-payment of taxes in certain cases"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate with amendments, and recommend its passage as amended.

Also, Senate Bill No. 207—"An Act to legalize certain acts of the Board of County Commissioners of Lincoln County"—which they have directed their Chairman to report back without recommendation.

Also, Senate Bill No. 197—"An Act to apportion the Senatorial representation of White Pine County"—report that they have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend its passage.

Also, Senate Bill No. 204—"An Act to provide for the manner and mode of electing County Commissioners," etc.—on which they have come to a favorable conclusion, and have directed their Chairman to report the same to the Senate, and recommend its passage.

Also, Senate Bill No. 122—"An Act establishing a commission for the revision of the laws"—which they recommend be laid on the table.

W. W. McCOY, Chairman.

Mr. PRESIDENT: Your Standing Committee on Claims, to which was referred the claim of F. D. Sargent for drayage, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the accompanying resolution directing the payment of the same.

Also, Assembly Bill No. 45—"An Act to authorize the payment of the claim of Alexander Leport"—on which they have come to a favorable conclusion, and have directed their Chairman to report the same to the Senate, and recommend it be referred to the Committee of the Whole, and that it do pass.

Also, the claim of O. H. Parker, on which they are divided in opinion, and have directed their Chairman to report the same to the Senate, and recommend that it be referred to the Committee of the Whole.

JAS. PHELAN, Chairman.

Resolved, That the Sergeant-at-Arms be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate in favor of F. D. Sargent, for the sum of twenty dollars.

Adopted.

JAMES PHELAN,
Chairman Committee on Claims.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 183—"An Act to authorize the Board of County Commissioners of Elko County, Nevada, to issue bonds, payable from the Building Fund, and to levy a tax to provide for the payment thereof"—with the original copy thereof, and find it correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,
Committee.

REPORT OF SELECT COMMITTEE.

Mr. Eastman, from Joint Committee on State University, to which was referred the subject of the location of the same, report that they have had the subject under consideration, have come to the conclusion that action should be had by this Legislature, and have directed their Chairman to report the accompanying bill, and recommend that it be referred to the Committee of the Whole.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 25th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Senate Bill No. 13—"An Act to compel children to attend school."

Senate Bill No. 81—"An Act to incorporate the Ancient Order of Hi-bernians."

L. R. BRADLEY.

MESSAGE FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 24th, 1873. }

To the honorable the Senate:

I have the honor to inform your honorable body that the Assembly have this day concurred in the amendments of the Senate to Assembly Bill No. 15—entitled "An Act to regulate marks and brands of stock:" Yeas, 37; nays, 6.

Also, that they have concurred in amendments to Substitute to Assembly Bill No. 21—entitled "An Act to provide for obtaining a correct statement of the financial condition of the several counties of this State, and other matters of statistical information: Yeas, 39; nays, none.

I also transmit, for your consideration, Assembly Bill No. 76—entitled "An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine—the same having passed the House this day: Yeas, 36; nays, 5.

Also, return Senate Bill No. 54—entitled "An Act to define the duties and liabilities of pawnbrokers and pledgees"—which was lost on the twenty-first instant by the following vote: Yeas, 22; nays, 20. Notice of reconsideration given and motion lost this day: Yeas, 9; nays, 34.

Also, return Senate Bill No. 89—entitled "An Act to amend "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine—which passed the House this day by the following vote: Yeas, 37; nays, 2.

Also, return Senate Bill No. 85—entitled "An Act to apportion the payment of the salary of the District Judge of the Fifth Judicial District between Churchill and Nye Counties"—which passed the House this day by the following vote: Yeas, 38; nays, none.

Also, return Senate Bill No. 101—entitled “An Act for the relief of T. A. Waterman for time occupied and expenses incurred in the organization of Elko County”—the same having been indefinitely postponed by the following vote: Yeas, 37; nays, 4.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

INTRODUCTION OF BILLS.

Mr. Phelan, without previous notice, introduced Senate Bill No. 209—“An Act relative to the treatment of the indigent sick in this State.”

Read first time.

Mr. Phelan moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Hazlett, in accordance with previous notice, introduced Senate Bill No. 208—“An Act to locate the State University, and provide for the control and maintenance of the same.”

Mr. Stevenson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

Mr. Hazlett introduced Senate Bill No. 210—“An Act to provide for printing the Annual Reports of the State Treasurer and State Controller.”

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Hill, without previous notice, introduced Senate Bill No. 211—“An Act to tax dogs.”

Mr. Hill moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

Mr. Lockwood, without previous notice, introduced Senate Bill No. 212—“An Act of reciprocity between the State of Nevada and other States and Territories relative to the collection of State and county taxes on personal property.”

Mr. Lockwood moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Mr. Crawford, without previous notice, introduced Senate Bill No. 213—An Act to amend An Act entitled “An Act to authorize the Commissioners of Ormsby County to issue to the Virginia and Truckee Railroad Company bonds to the amount of two hundred thousand dollars, and to provide for the payment of the same,” approved January twenty-seventh, eighteen hundred and sixty-nine.

Mr. Crawford moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. President: Your Standing Committee on Enrollment report that Senate Bill No. 118—An Act to amend an Act entitled "An Act authorizing a State loan and levying a tax to provide means for the payment thereof," approved February twenty-seventh, eighteen hundred and seventy-one;

Also, Senate Bill No. 135—"An Act to define the time for levying and assessing taxes for State and county purposes;"

Also, Senate Bill No. 119—An Act to amend an Act entitled "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February sixth, eighteen hundred and sixty-seven, and to fund the floating debt and place the State upon a permanent cash basis," approved February twenty-seventh, eighteen hundred and seventy-one;

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

Mr. Hazlett, without previous notice, introduced Senate Bill No. 214—"An Act authorizing the canceling of old unpaid warrants."

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the bill be read the second time by title, and ordered engrossed.

Carried.

GENERAL FILE.

Senate Bill No. 137—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act relative to attorneys and counselors at law,' approved October thirty-first, eighteen hundred and sixty-one," approved March fourth, eighteen hundred and seventy-one.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—20.

NAYS—None.

Senate Bill No. 108—An Act entitled "An Act for the payment of the salaries of the District Attorneys of the several counties of this State."

Read third time and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, McCoy, Mills, Moore, Phelan, Stevenson, Thompson, Walter, and Wilson—21.

NAYS—Messrs. McBeth and Small—2.

Mr. McBeth asked leave of absence for Mr. Varian for the day.

Leave granted.

Senate Bill No. 152—"An Act to provide for the payment of the claim of Calvin Swift."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport,

Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McBeth, McClinton, Mills, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—21.

NAY—Mr. Cassidy—1.

Senate Bill No. 92—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, McCoy, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—22.

NAYS—None.

Senate Bill No. 109—"An Act to provide for the erection of a State Prison."

On motion, referred to Committee of the Whole.

Senate Bill No. 170—"An Act to regulate compensation of County Commissioners."

Mr. Hazlett moved that the bill be referred to a special committee of one, with instructions to strike out "two hundred and fifty," and insert "three hundred" before the word "dollars."

Lost.

Mr. Cleveland moved to amend by striking out "two hundred and fifty," and insert "six hundred," before the word "dollars."

Lost.

Mr. Stevenson moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President pro tem. in the chair.

Roll called; full Senate present.

Senate Bill No. 170 resumed.

Mr. McClinton moved that the bill be referred to a special committee of one, with instructions to amend as follows: In line five, section one, strike out the word "three" and insert the word "one;" also, in line seven, same section, strike out all after the word "dollars" to and including the word "dollars" in line ten; also, in line eleven, same section, strike out the words "two thousand" and insert the words "seven hundred and fifty;" also, in line thirteen, strike out the words "two hundred and fifty" and insert the words "three hundred."

The President appointed Mr. McClinton as such committee, who reported the amendments made as per instructions.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Eastman, Fox, Hill, Hobart, McCoy, McClinton, Moore, Small, Thompson, Walter, and Wilson—15.

NAYS—Messrs. Davenport, Hazlett, Lockwood, Mills, McBeth, Phelan, and Stevenson—7.

Senate Bill No. 158—An Act to provide for the selection and sale of

lands that have or may hereafter be granted by the United States to the State of Nevada—taken up, on motion of Mr. Walter.

Mr. Walter moved that the bill be ordered engrossed.

Carried.

Assembly Bill No. 57—"An Act for the relief of R. Webber and D. B. Collins."

On motion, the amendments recommended by the Committee of the Whole were adopted.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Davenport, Fox, Hazlett, Hill, Hobart, McCoy, McClinton, Mills, McBeth, Phelan, Small, Stevenson, and Walter—16.

NAYS—Messrs. Eastman, Moore, and Thompson—3.

Assembly Bill No. 45—"An Act to authorize the payment of the claim of Alexander Leport for wood furnished the State of Nevada for the use of the sixth session of the Legislature."

Mr. Phelan moved that the bill be referred to the Committee of the Whole.

Carried.

Senate Bill No. 172—An Act to repeal an Act entitled "An Act to aid the Nevada Benevolent Association in providing means to erect an insane asylum," approved March third, eighteen hundred and seventy-one.

Mr. Phelan moved that the bill be indefinitely postponed.

Roll called, and motion lost by the following vote:

YEAS—Messrs. Campbell, Davenport, Fox, Hazlett, Mills, Moore, Phelan, and Wilson—8.

NAYS—Messrs. Cassidy, Clapp, Crawford, Eastman, Hill, Hobart, McClinton, McBeth, Small, Stevenson, Thompson, and Walter—12.

Mr. Thompson moved a call of the Senate.

Carried.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—20.

Absent—Messrs. Cleveland, Lockwood, and McCoy—3.

Senators Lockwood and McCoy appearing at the bar of the Senate, were, on motion, excused, and permitted to take their seats.

Mr. McBeth moved that further proceedings under the call be dispensed with.

Carried.

Senate Bill No. 172 resumed.

Mr. Lockwood moved to postpone the consideration of the bill until Monday morning, and make it the special order for that time.

On which motion, the yeas and nays were called for by Messrs. Cassidy, Varian, and Thompson, with the following result:

YEAS—Messrs. Campbell, Davenport, Fox, Hazlett, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Small, Varian, and Wilson—13.

NAYS—Messrs. Cassidy, Clapp, Eastman, Hill, Hobart, McBeth, Stevenson, Thompson, and Walter—9.

Senate Bill No. 99—"An Act to appropriate funds for the preparation and publication of the eighth and ninth volumes of the Nevada Reports"—taken up, on motion of Mr. Hazlett.

Mr. Hazlett moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 95—"An Act to amend an Act entitled "An Act to create the office of State Mineralogist, and define the duties of such officer," approved March first, eighteen hundred and sixty-nine"—taken up, on motion of Mr. Hazlett.

Mr. Hazlett moved that the amendments recommended by the Committee of the Whole be adopted, and the bill ordered engrossed.

Carried.

Senate Bill No. 174—"An Act prescribing an additional penalty for the non-payment of taxes in certain cases, after suit"—taken up, on motion of Mr. Thompson.

Mr. Thompson moved that the amendments recommended by the Committee of the Whole be adopted; and the following amendment, recommended by Judiciary Committee: Section one is amended in the tenth line, by striking out the words "thirty-five per centum," and substituting therefor the words "twenty-five per centum."

Carried.

Mr. Thompson moved that the bill be ordered engrossed.

Carried.

"Senate Memorial and Concurrent Resolution—Relative to payment of Emanuel Penrod"—taken up, on motion of Mr. Phelan.

Mr. Lockwood moved that it be ordered engrossed.

Carried.

Senate Bill No. 167—"An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties and establish their pay."

Mr. Davenport moved the bill be ordered engrossed.

Carried.

Senate Bill No. 207—"An Act to legalize certain acts of the Board of County Commissioners of Lincoln County."

Mr. Wilson moved that the bill be ordered engrossed.

Carried.

Mr. Mills moved that the Senate go into Committee of the Whole for the consideration of Senate Bill No. 103, and other bills referred thereto, with President pro tem. in the chair.

Carried.

In time, the committee rose, and presented the following report:

Mr. PRESIDENT: Your Committee of the Whole have had under consideration Senate Bill No. 103—"An Act to provide for the transportation of convicts and insane persons"—which they report back with recommendation that it pass.

Also, Assembly Bill No. 45—"An Act to authorize the payment of the claim of Alexander Lepout, for wood furnished the State of Nevada for the use of the sixth session of the Legislature"—which they report back with the recommendation that it do pass.

Also, Senate Bill No. 194—"An Act to purchase the compilation of the laws of Nevada"—to which they offer the following amendments:

After "Secretary of State," in line one, section one, insert the words "Attorney General and Clerk of the Supreme Court." Also, strike out the word "eight" and insert the word "six"—and recommend that the amendments be concurred in and the bill passed.

Also, Senate Bill No. 20—"An Act to provide for the government of the State Prison of the State of Nevada"—which they report back with the recommendation that it pass.

Also, Assembly Bill No. 6—"An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto"—on which they report progress, and ask leave to sit again.

Also, Senate Bill No. 191—"An Act to redistrict the State of Nevada"—on which they report progress, and ask leave to sit again.

IN SENATE.

Mr. Cassidy moved that Senate Bill No. 191—"An Act to redistrict the State of Nevada"—be referred to a committee composed of one member from each county.

Carried.

Senate Bill No. 190—An Act amendatory of and supplementary to an Act entitled "An Act to create a Board of County Commissioners in the several counties of this State, and define their duties and powers," approved March eighth, eighteen hundred and sixty-five.

Mr. Eastman moved that the amendment recommended by the Judiciary Committee, as follows: Section one is amended in the fifth and sixth lines of the twelfth subdivision by striking out the words "or hereafter may become," be adopted.

Carried.

Mr. Eastman moved that the bill be ordered engrossed.

Mr. Thompson moved, as an amendment, that the bill be re-referred to the Judiciary Committee.

Lost.

Motion to engross carried.

Mr. Stevenson moved to adjourn.

Carried.

So, at four o'clock and fifty-five minutes, the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FIFTY-SECOND DAY.

CARSON CITY, February 26th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Varian, and Walter—22.

Absent—Messrs. Thompson and Wilson—2.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

Mr. Cleveland moved a call of the Senate.

Carried.

Roll called; full Senate present.

Mr. Cleveland moved that further proceedings under the call of the Senate be dispensed with.

Carried.

Mr. Phelan moved that the special order be deferred for five minutes that he might offer the following report.

So ordered.

MR. PRESIDENT: Your committee of conference on Assembly Bill No. 29, report that they met and agreed to certain amendments thereto, and request the appointment of a committee of free conference to report the bill back for action of the Senate.

Adopted.

The time having arrived, the special order was now taken up.

Senate Bill No. 23—An Act relative to the official bond of Eben Rhoades, late State Treasurer of the State of Nevada.

The question being, "Shall Senate Bill No. 23 pass, notwithstanding the objections of the Governor?" the roll was called, with the following result:

YEAS—Messrs. Campbell, Crawford, Davenport, Fox, Hazlett, Hobart, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Varian, Walter, and Wilson—17.

NAYS—Messrs. Cassidy, Cleveland, Clapp, Eastman, Hill, McClinton, and Thompson—7.

The bill having received a two-third vote of all Senators elect, was declared passed, notwithstanding the objections of the Governor.

PETITION.

Mr. Moore introduced a petition from the people of Elko County, remonstrating against the passage of Senate Bill No. 76—An Act to amend an Act entitled "An Act to encourage the construction of a railroad in the eastern portion of the State of Nevada," approved February twenty-first, eighteen hundred and seventy-one.

Mr. Thompson asked leave of absence for one hour.
Leave granted.

SPECIAL ORDER FOR TWELVE O'CLOCK M.

Senate Bill No. 193—"An Act to encourage the construction of a railroad from the Central Pacific Railroad, in the eastern portion of the State of Nevada," approved February twenty-first, eighteen hundred and seventy-one;

And Senate Bill No. 136.

Mr. Mills moved that Senate Bill No. 136 be taken up as first special order.

Carried.

Senate Bill No. 136—An Act to amend an Act entitled "An Act to encourage the construction of a railroad in the eastern portion of the State of Nevada," approved February twenty-first, eighteen hundred and seventy-one.

Bill read third time.

Mr. Phelan moved to take a recess until two o'clock p. m.

Carried.

Senate met at two o'clock p. m.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Mills, Moore, McBeth, Small, Thompson, Walter, and Wilson—15.

Absent—Messrs. Cassidy, Hobart, Lockwood, McCoy, McClinton, Phelan, Stevenson, and Varian—8.

Mr. McBeth moved a call of the Senate.

Carried.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Mills, Moore, McBeth, Thompson, Walter, and Wilson—15.

Absent—Messrs. Hobart, Lockwood, McCoy, McClinton, Phelan, Small, Stevenson, and Varian—8.

The absent Senators appearing at the bar of the Senate, were, on motion, permitted within the bar for the purpose of offering excuses for absence, and were permitted to take their seats, with the exception of Mr. Lockwood, who was fined in the sum of one dollar, on the payment of which he was permitted to take his seat.

Mr. McBeth moved that further proceedings under the call of the Senate be dispensed with.

Carried.

Mr. Stevenson asked leave of absence for Mr. Hobart for the remainder of the day.

Leave granted.

Mr. Mills moved a call of the Senate.

Carried.

Roll called; all present except Messrs. Hill and Hobart.

Mr. Mills moved that further proceedings under the call be dispensed with.

Carried.

Senate Bill No. 136.

On which the roll was called, and the bill passed by the following vote:

YEAS—Messrs. Cassidy, Cleveland, Davenport, Fox, Hazlett, Lockwood, McCoy, McClinton, Mills, McBeth, Phelan, Small, Stevenson, and Varian—14.

NAYS—Messrs. Campbell, Clapp, Crawford, Eastman, Moore, Thompson, Walter, and Wilson—8.

The President appointed Messrs. Phelan, Fox, and Eastman, as a committee of free conference on Assembly Bill No. 29—Relative to State Orphans' Home.

Senate Bill No. 193—"An Act to encourage the construction of a railroad from the line of the Central Pacific Railroad to the Town of Eureka, State of Nevada," approved February twenty-first, eighteen hundred and seventy-one.

Mr. McCoy moved to refer the bill to a special committee of one, with instructions to amend section nine by striking out the word "five" and insert the word "one" at the end of the second line.

Carried.

Mr. McCoy appointed as such committee, who reported amendments made as per instructions.

Mr. McCoy moved to refer to a special committee of one, with instructions to amend section ten by striking out in fourth line the word "shall," and inserting in lieu thereof the word "may;" also, by striking out in line six of section eleventh, the word "eleven" and inserting in lieu thereof the word "nine."

Carried.

The President appointed Mr. McCoy as such committee, who reported amendments made as per instructions.

Mr. Cassidy moved a call of the Senate.

Roll called.

Present—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Lockwood, McCoy, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—20.

Absent—Messrs. Hill, Hobart, Moore, and Varian—4.

Mr. McClinton moved that further proceedings under the call be dispensed with.

Carried.

Mr. Crawford moved to adjourn.

Lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, McCoy, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—18.

NAYS—Messrs. Campbell, Lockwood, and Moore—3.

Mr. Phelan moved to adjourn.

Carried.

So, at five o'clock and twenty-five minutes P. M., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FIFTY-THIRD DAY.

CARSON CITY, February 27th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—24.

Absent—None.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 190—entitled An Act amendatory of and supplemental to an Act entitled "An Act to create a Board of County Commissioners"—with the original copy thereof, and find it correctly engrossed.

ISRAEL CRAWFORD, Chairman.

MR. PRESIDENT: Your Standing Committee on Claims, to whom was referred Assembly Bill No. 38—An Act for the relief of E. Perasich—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with a recommendation that it be referred to the Committee of the Whole, and that it do pass.

MR. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 89—An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine;

Also, Senate Bill No. 85—"An Act to apportion the payment of the salary of the District Judge of the Fifth Judicial District, between Churchill and Nye Counties;"

Have been carefully compared with the engrossed bills, found correctly enrolled, and have been this day handed to the Governor for his approval.

LOCKWOOD, Chairman.

MR. PRESIDENT: Your Standing Committee on State Affairs, to which was referred Assembly Bill No. 42—entitled "An Act for the relief of the Imperial Silver Mining Company"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate with the recommendation that it do pass.

Also, Senate Bill No. 173—entitled "An Act to establish a portion of the western boundary line of the State of Nevada"—herewith report that, in the opinion of the committee, the authority of the State of Ne-

vada does not include the power to survey and establish boundary lines between the several States, and consequently no Act of this Legislature could legalize any survey made in accordance with the intent of this bill; wherefore, the committee recommend that the bill do not pass.

C. S. VARIAN,
W. S. HOBART,
J. SMALL,
Committee.

Mr. PRESIDENT: Your Standing Committee on Claims, to which was referred Assembly Bill No. 37—An Act making appropriations for deficiencies for the seventh and eighth fiscal years—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate with the following amendments, and recommend it be referred to the Committee of the Whole: Strike out in line six, "For the California Institution for the care of the Deaf, Dumb, and Blind, six hundred and eighty-five dollars." Strike out in lines eight and nine, after the word "Helm," "thirty-two dollars and ten cents," and insert "one hundred and sixteen dollars and sixty cents." Strike out in lines sixteen and seventeen, "five hundred," and insert "seven hundred and seventeen." Strike out in lines nineteen, twenty, and twenty-one, "fifteen hundred and sixty-seven dollars and twenty-five cents," and insert "sixteen hundred and ten dollars and ninety-eight cents."

PHELAN, Chairman.

Mr. PRESIDENT: Your Standing Committee on Mines and Mining, to which was referred Senate Bill No. 42—entitled "An Act to exempt the property of the Miners' Union of the State of Nevada from taxation"—report that they have had the same under consideration, and report the same to the Senate without recommendation.

Also, Senate Bill No. 53—entitled "An Act to protect miners"—which they have had under consideration, and recommend that it do not pass.

ROBT. McBETH, Chairman.

Mr. PRESIDENT: Your Standing Committee on Printing, to which was referred Senate Bill No. 205—entitled "An Act to abolish the office of State Printer, and to provide for the public printing," have had the same under consideration, come to an unfavorable conclusion thereon, and recommend that it do not pass.

GEO. W. CASSIDY, Chairman.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 98—An Act to amend an Act entitled "An Act to create the office of State Mineralogist, and define the duties of such officer," approved March first, eighteen hundred and sixty-nine;

Also, Senate Bill No. 99—"An Act to appropriate funds for the preparation and publication of the eighth and ninth volumes of the Nevada Reports;"

Also, Senate Bill No. 198—"An Act to provide for the erection of county buildings in Humboldt County, and for the issuance of bonds therefor;"

Also, Senate Bill No. 203—"An Act to provide for the removal of the county seat of Esmeralda County;"

Also, Senate Bill No. 158—"An Act to provide for the selection and sale of lands that have or may hereafter be granted by the United States to the State of Nevada;"

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,
Committee.

Mr. PRESIDENT: Your Standing Committee on Agriculture and Manufactures, to which was referred Assembly Bill No. 70—"An Act to incorporate a State Agricultural Society and provide for the management thereof," report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend that it do pass.

JAS. W. SMALL, Chairman.

Mr. PRESIDENT: Your Standing Committee on Ways and Means, to which was referred Senate Bill No. 123—"An Act to amend "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March ninth, eighteen hundred and sixty-five—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate, without recommendation.

J. C. HAZLETT, Chairman.

COMMUNICATION FROM LIEUTENANT GOVERNOR.

STATE DEPARTMENT, OFFICE OF LIEUTENANT GOVERNOR,
CARSON CITY, NEVADA, February 24th, 1873. }

To the honorable the Legislature of the State of Nevada:

I herewith submit my first biennial report, as Warden of the Nevada State Prison, from January ninth, eighteen hundred and seventy-one, to December thirty-first, eighteen hundred and seventy-two.

Respectfully submitted.

FRANK DENVER, Warden.

REPORTS OF SELECT COMMITTEES.

Mr. PRESIDENT: Your committee of free conference to which was referred Assembly Bill No. 29—"An Act for the government and maintenance of the State Orphans' Home," report as follows: Amend section one, so as to read, "Superintendent of Public Instruction, Surveyor

General, and State Treasurer;" section three to read as in the original bill; in section nine, adopt the first Senate amendment and reject the second.

JAMES PHELAN,
L. T. FOX,
C. H. EASTMAN,

Senate Committee.

Mr. PRESIDENT: Your special committee to which was referred Senate Bill No. 181—entitled "An Act to authorize the Counties of Lincoln and Nye to take stock in the Humboldt and Colorado Railroad Company"—report that they have carefully considered the same, so far as it relates to Lincoln County, and recommend that certain amendments thereto be made, and that it then do pass.

R. S. CLAPP,
JOHN R. WILSON.

MESSAGES FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 25th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Senate Bill No. 118—An Act to amend an Act entitled "An Act to authorize a State loan, and levying a tax to provide means for the payment thereof," approved February twenty-seventh, eighteen hundred and seventy-one.

Senate Bill No. 119—An Act entitled an Act to amend "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February sixth, eighteen hundred and sixty-seven, and to fund the floating debt and place the State upon a permanent cash basis," approved February twenty-seventh, eighteen hundred and seventy-one.

Senate Bill No. 135 (reënacted)—"An Act to define the time for levying and assessing taxes for State and county purposes."

L. R. BRADLEY.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 26th, 1873. }

To the honorable the Senate of Nevada:

I have the honor to transmit herewith the Report of the Directors of the State Library, the Report of the State Librarian, and the Financial Report of the Directors of the Library, this day delivered to myself.

L. R. BRADLEY.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, February 27th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Senate Bill No. 85—"An Act to apportion the payment of the salary of the District Judge of the Fifth Judicial District between Churchill and Nye Counties."

Senate Bill No. 89—"An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

L. R. BRADLEY.

MOTIONS AND RESOLUTIONS.

Reports submitted by the Governor as per message, were, on motion, referred to Committee on State Library.

Mr. Thompson moved that Senate Bill No. 190—"An Act amendatory of and supplementary to an Act entitled "An Act to create a Board of County Commissioners in the several counties of this State, and define their duties and powers," approved March eighth, eighteen hundred and sixty five—be re-referred to Committee on Judiciary.

Carried.

By Mr. Phelan:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in favor of M. D. Hatch, for sixty dollars, for rent of room used by the Senate Copying Clerk.

Adopted.

MESSAGES FROM ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 25th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 76—entitled An Act to amend section six of "An Act defining the duties of State Treasurer," approved February second, eighteen hundred and sixty-six—which passed the Assembly: Yeas, 41; nays, none.

Also, Assembly Bill No. 53—"An Act to prohibit the sale of intoxicating drinks to minors"—which passed the Assembly: Yeas, 42; nays, none.

Also, Assembly Bill No. 78—"An Act to further amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, approved March first, eighteen hundred and sixty-six"—which passed the Assembly: Yeas, 42; nays, none.

Also, Substitute for Assembly Bill No. 10—"An Act to repeal an Act

entitled "An Act providing for the enforcement of the revenue laws of the State of Nevada"—which passed the Assembly: Yeas, 42; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 26th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body, Senate Bill No. 71—entitled "An Act for the better observance of the Christian Sabbath"—which was lost, by striking out the enacting clause, by the following vote: Yeas, 26; nays, 7.

I also inform your honorable body that the Assembly have this day concurred in Senate amendments to Assembly Bill No. 57—entitled "An Act for the relief of R. Webber and D. B. Collins."

I also return to your honorable body Senate Bill No. 23—entitled "An Act relating to the sureties on the official bond of Eben Rhoades, late Treasurer of the State of Nevada"—the same having passed the House this day by the following vote: Yeas, 35; nays, 11.

Respectfully,

A. WHITFORD, Clerk.

The President pro tem. announced his appointment of the following Senators as the Committee on Redistricting the Judicial Districts:

Mr. Hill, of Churchill County; Mr. Varian, of Humboldt County; Mr. Cleveland, of White Pine County; Mr. Cassidy, of Lander County; Mr. Clapp, of Lincoln County; Mr. McClinton, of Esmeralda County; Mr. Small, of Douglas County; Mr. Hazlett, of Lyon County; Mr. Fox, of Storey County; Mr. Lockwood, of Ormsby County; Mr. Walter, of Nye County; Mr. Eastman, of Washoe County; Mr. Moore, of Elko County.

INTRODUCTION OF BILLS.

Mr. Phelan, without previous notice, introduced Senate Bill No. 215—"An Act to secure photographs of State Prison convicts."

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

Mr. McCoy, without previous notice, introduced Senate Bill No. 216—"An Act to secure Nevada's quota of funds for the National centennial celebration of the independence of the United States."

Read first time.

Mr. McCoy moved that the rules be suspended; the bill read the second time by title; that the rules be further suspended; the bill read the third time, and placed on its third reading and final passage.

Mr. Cleveland moved to amend by referring the bill to the Committee of the Whole.

Carried.

Mr. Hazlett, in accordance with previous notice, introduced Senate Bill No. 217—"An Act for the payment of the equitable claims of Daniel G. and William H. Corbett."

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Claims.

Carried.

Mr. Lockwood, without previous notice, introduced Senate Bill No. 218—"An Act to provide for the settlement of the title of the State Prison lands, and for other purposes in relation thereto."

Mr. Lockwood moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

Mr. McClinton, without previous notice, introduced Senate Bill No. 219—"An Act for the relief of W. F. Wilson."

Mr. McClinton moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Claims.

Carried.

Mr. Wilson, without previous notice, introduced Senate Bill No. 220—"An Act to equalize representation in the Legislature of Nevada."

Read first time.

Mr. Wilson moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on State Affairs.

Carried.

Assembly Bill No. 76—An Act to amend section six of "An Act defining the duties of State Treasurer," approved February second, eighteen hundred and sixty-six.

Mr. Lockwood moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Judiciary.

Carried.

Assembly Bill No. 78—An Act to further amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March first, eighteen hundred and sixty-six.

Mr. McClinton moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Substitute for Assembly Bill No. 10—An Act to repeal an Act entitled "An Act providing for the better enforcement of the revenue laws of the State of Nevada."

Read first time.

Mr. Eastman moved that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Assembly Bill No. 53—An Act to prohibit the sale of intoxicating drinks to minors.

Mr. McClinton moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Public Morals.

Carried.

Assembly Bill No. 76—An Act to amend an Act entitled "An Act to

regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

Read first time.

Mr. Eastman moved that the rules be suspended; the bill read the second time by title, and placed on the General File.

Carried.

GENERAL FILE.

On motion of Mr. Clapp, Senate Bill No. 126—An Act supplementary to an Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine—was taken up.

Mr. Eastman moved to lay the bill on the table.

Carried.

Assembly Bill No. 29—"An Act for the government and maintenance of the State Orphans' Home"—which was reported back from the committee of free conference with amendments, was, on motion of Mr. Mills, taken up.

Mr. Varian moved that the amendments of the committee be adopted.

Carried.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Davenport, Eastman, Fox, Hazlett, Hobart, McClinton, Moore, McBeth, Small, Stevenson, Thompson, Varian, and Walter—16.

NAYS—Messrs. Cleveland, Crawford, Hill, Mills, Phelan, and Wilson—6.

Senate Bill No. 20—"An Act to provide for the government of the Nevada State Prison"—which was reported back from the Committee of the Whole with amendments, was taken up, on motion of Mr. Cassidy.

On the motion to adopt the amendments recommended by the Committee of the Whole, the yeas and nays were called for by Messrs. Moore, Mills, and Lockwood, resulting as follows:

YEAS—Messrs. Campbell, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, Mills, McBeth, Phelan, Thompson, Varian, Walter, and Wilson—16.

NAYS—Messrs. Cassidy, Clapp, Crawford, Lockwood, McClinton, Moore, Small, and Stevenson—8.

Mr. Phelan moved that the bill be ordered engrossed.

Mr. Lockwood moved to amend by indefinitely postponing the bill.

Lost, and the bill ordered engrossed.

Mr. Phelan moved to take a recess until two o'clock and thirty minutes P. M.

Carried.

Senate met at two o'clock and thirty minutes P. M.

President pro tem. in the chair.

Roll called.

Quorum present.

Mr. Campbell asked leave of absence for Mr. McClinton for remainder of the day.

Leave granted.

Senate Bill No. 144—"An Act to purchase the compilation of the laws of Nevada"—which was reported back from Committee of the Whole with amendments, was taken up, on motion of Mr. Varian.

Mr. Varian moved the adoption of the amendments.

Carried.

Mr. Varian moved that the bill be ordered engrossed.

Carried.

Assembly Bill No. 45—"An Act to authorize the payment of the claim of Alexander Leport for wood furnished the State of Nevada for the use of the sixth session of the Legislature."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Walter—19. •

NAYS—None.

Mr. Mills asked leave of absence for the balance of the day.

Leave granted.

Senate Bill No. 158—"An Act to provide for the selection and sale of lands that have or may hereafter be granted by the United States to the State of Nevada."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, Moore, McBeth, Phelan, Stevenson, Thompson, and Walter—18.

NAY—Mr. Small—1.

Senate Bill No. 226—"An Act to provide for the payment of Peter Cavanaugh for the expenditure of money made by him for the completion of the State Capitol of Nevada"—introduced by Mr. Phelan, by leave, and without previous notice.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Claims.

Carried.

Senate Bill No. 183—"An Act to authorize the Board of County Commissioners of Elko County, Nevada, to issue bonds payable from the Building Fund, and to levy a tax to provide for the payment thereof."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McCoy, Moore, McBeth, Small, Thompson, Varian, and Walter—17.

NAYS—None.

Mr. Cassidy introduced Senate Bill No. 227—"An Act to provide for the support and maintenance of the public schools of Eureka County."

Mr. Cassidy moved that the reading had be considered the first read-

ing of the bill; that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Hill moved to take up Substitute for Senate Bill No. 91—"An Act to regulate the salaries of County Commissioners."

Carried.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, McBeth, Thompson, Varian, Walter, and Wilson—16.

NAYS—None.

Senate Bill No. 176—"An Act to encourage the artificial cultivation and propagation of fish in the State of Nevada."

Mr. Moore moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 107—"An Act to provide for the destruction of noxious animals within this State."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, Moore, Small, Thompson, Varian, Walter, and Wilson—16.

NAYS—Messrs. McBeth and Stevenson—2.

Senate Bill No. 198—"An Act to provide for the erection of county buildings in Humboldt County, and for the issuance of bonds therefor."

Read third time, and lost by the following vote:

YEAS—Messrs. Cassidy, Crawford, Davenport, Hazlett, Hobart, Moore, Phelan, Small, Stevenson, Varian, and Walter—11.

NAYS—Messrs. Campbell, Cleveland, Eastman, Fox, Hill, McBeth, McCoy, Thompson, and Wilson—9.

Senate Memorial and Concurrent Resolution No. 139—Relative to payment of Emanuel Penrod.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McCoy, McBeth, Phelan, Small, Thompson, and Walter—15.

NAYS—Messrs. Clapp, Hobart, Moore, Stevenson, and Varian—5.

Mr. McCoy gave notice that he would, on to morrow, move a reconsideration of the vote whereby Senate Bill No. 198 was lost.

Senate Bill No. 171—"An Act to provide for the normal instruction of persons intending the profession of teaching in Nevada."

Mr. Stevenson moved that the bill be referred to Committee of the Whole.

Carried.

Senate Bill No. 105—An Act to amend an Act entitled "An Act providing for the taxation of the net proceeds of mines."

On motion of Mr. McCoy the bill was laid on the table.

Senate Bill No. 143—"An Act providing for the taxation of borax and soda mines and claims."

Mr. Hazlett moved that the bill be referred to a special committee of one, with instructions to amend as follows: Insert after the word "taxes" and before "shall," in line seven, section one, "and the compliance with the provisions of an Act entitled An Act to provide for the location of lands containing salt, approved February twenty-fourth, eighteen hundred and sixty-five."

Carried.

Mr. Hazlett was appointed as such committee, and reported amendments made as per instructions.

Mr. Hazlett moved to refer the bill to a special committee of one, with instructions to strike out the words "in the case" and "provided," and insert the words "in the event."

Carried.

The President appointed Mr. Hazlett as such committee, who reported the amendments made as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, Moore, Phelan, Small, Stevenson, Thompson, Varian, and Wilson—18.

NAYS—None.

Mr. Hazlett moved that the title of the bill be changed so as to read, "An Act providing for the location and taxation of borax and soda mines and claims."

Carried.

By Mr. Cleveland, on leave:

Resolved, That the use of the Senate Chamber be granted to the "Third House," on Friday evening, February twenty-eighth, eighteen hundred and seventy-three.

Adopted.

Senate Bill No. 99—"An Act to appropriate funds for the preparation and publication of the eighth and ninth volumes of the Nevada Reports."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McCoy, Moore, Phelan, Small, Stevenson, Thompson, Varian, and Wilson—16.

NAYS—None.

Senate Bill No. 95—An Act to amend an Act entitled "An Act to create the office of State Mineralogist and define the duties of such officer," approved March first, eighteen hundred and sixty-nine.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, McCoy, Moore, Phelan, Small, Stevenson, Thompson, Varian, and Wilson—15.

NAY—Mr. Hill—1.

Senate Bill No. 123—An Act to amend "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March ninth, eighteen hundred and sixty-five.

On motion of Mr. Stevenson, the bill was ordered engrossed.

Senate Bill No. 103—"An Act to provide for the transportation of convicts and insane persons."

Mr. Moore moved to place the bill at the foot of the File.

Carried.

Senate Bill No. 177—An Act to amend sections one hundred and twenty-three and one hundred and twenty-four of chapter four, title five, of an Act entitled "An Act to regulate proceedings in civil cases in the Courts of justice of this State, and to repeal all other Acts in relation thereto," approved March eighth, eighteen hundred and sixty-nine.

On motion, indefinitely postponed.

Senate Bill No. 184—"An Act to prevent frauds on petitioners."

On motion, indefinitely postponed.

Senate Bill No. 185—"An Act concerning the compensation of registry agents."

On motion of Mr. Eastman, placed at the foot of the File.

Senate Bill No. 112—"An Act in relation to the removal of county seats in this State."

On motion, indefinitely postponed.

Senate Bill No. 197—"An Act to apportion the Senatorial representation of White Pine County."

On motion, ordered engrossed.

Senate Bill No. 122—"An Act establishing a Commissioner for the revision of the laws."

On motion of Mr. Moore, laid on the table.

Senate Bill No. 204—"An Act to provide for the manner and mode of electing the County Commissioners of the several counties in this State."

Ordered engrossed.

Senate Bill No. 181—"An Act to authorize the Counties of Lincoln and Nye, in the State of Nevada, to subscribe to stock of the Humboldt and Colorado Railroad Company, and to aid in the construction of a railroad from a point at or near Palisade to the Colorado River."

On motion of Mr. Moore, bill laid on the table.

Assembly Bill No. 103—"An Act to create Contingent Funds for the Senate and Assembly."

Mr. Davenport moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and placed on the General File.

Carried.

Mr. Phelan moved to adjourn.

Carried.

So, at five o'clock P. M., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FIFTY-FOURTH DAY.

CARSON CITY, February 28th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—23.

Absent—Mr. McCoy—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

PETITION.

Mr. Stevenson presented a petition from persons residing in Virginia City, relative to the passage of a Sunday law.

On motion, the petition was referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: Your Standing Committee on Claims, to which was referred Senate Bill No. 217—"An Act for the relief of Daniel G. and William H. Corbett"—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate without recommendation.

Also, the claim of S. H. Marlette, which they recommend be referred, with accompanying bill, to the Committee of the Whole.

Also, "An Act for the relief of Peter Cavanaugh," which they report back without recommendation.

JAMES PHELAN, Chairman.

MR. PRESIDENT: Your Standing Committee on Public Morals, to which was referred Assembly Bill No. 53—"An Act to prohibit the sale of intoxicating drinks to minors"—report that they have come to a favorable conclusion, and recommend that it do pass.

CLAPP, Chairman.

MR. PRESIDENT: The Committee on Ways and Means have had under consideration Substitute for Assembly Bill No. 10—"An Act to repeal an Act entitled "An Act providing for the better enforcement of the revenue laws of the State of Nevada," approved March fourth, eighteen hundred and seventy-one. This Act is simply to repeal an Act that is already superseded; the committee therefore recommend that the further consideration of the bill be indefinitely postponed.

The committee have also had under consideration Senate Bill No. 182—"An Act to amend an Act entitled An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada, approved March ninth, eighteen hundred and sixty-five, approved March fourth, eighteen hundred and seventy-one"—and recommend that it do not pass.

J. C. HAZLETT, Chairman.

Mr. PRESIDENT: Your Standing Committee on State Affairs, to which was referred Senate Bill No. 220—entitled “An Act to equalize representation in the Legislature of the State of Nevada”—report that they have had the same under consideration, have come to no conclusion thereon, and have directed their Chairman to report the same to the Senate, with the recommendation that it be referred to the Committee of the Whole.

W. S. HOBART, Chairman.

Mr. Varian, from the Standing Committee on the Judiciary, to which was re-referred Senate Bill No. 190—entitled An Act amendatory of and supplementary to “An Act to create a Board of County Commissioners in the several counties of this State and define their duties and powers”—report that they have had the same under consideration, and that a majority of the committee have come to a favorable conclusion thereon, and have directed the same to be reported to the Senate, with the recommendation that it do pass.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 167—“An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties, and to establish their pay”—with the original copy thereof, and find it correctly engrossed.

THEO. S. DAVENPORT,
ROBERT McBETH,
Committee.

Mr. McClinton, from joint committee to examine compilation of laws, submitted a supplementary report of the majority of the committee.
[For report, see Appendix.]

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 210—entitled “An Act to provide for printing the Annual Reports of the State Treasurer and State Controller;”

Also, Senate Bill No. 214—“An Act authorizing the canceling of old unpaid warrants;”

Also, Senate Bill No. 176—“An Act to encourage the artificial cultivation and propagation of fish;”

Also, Senate Bill No. 213—An Act to amend an Act entitled “An Act to authorize the Commissioners of Ormsby County to issue to the Virginia and Truckee Railroad Company bonds to the amount of two hundred thousand dollars, and to provide for the payment of the same;”

Also, Senate Bill No. 194—“An Act to purchase the compilation of the laws of Nevada;”

With the original copies thereof, and find them correctly engrossed.

ISRAEL CRAWFORD, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Varian moved to reconsider the vote whereby Senate Bill No. 198 was lost on yesterday.

Roll called, and motion carried by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Moore, Phelan, Small, Stevenson, Thompson, Varian, and Wilson—19.

NAYS—Messrs. Cleveland, Eastman, and McBeth—3.

Mr. Wilson moved to take from the table Senate Bill No. 181—"An Act to authorize the Counties of Lincoln and Nye, in the State of Nevada, to subscribe stock to the Humboldt and Colorado Railroad Company, and to aid in the construction of a railroad from a point at or near Palisade to the Colorado River."

Carried.

The amendments recommended by the delegation from Lincoln County were read and adopted seriatim.

Mr. Wilson moved that the bill be ordered engrossed.

Carried.

By Mr. McClinton:

Resolved, That the supplementary report of the Joint Committee on Compilation of Laws be ordered printed in the Appendix to the Journal of the Senate.

Adopted.

Mr. Phelan moved that the Senate take a recess until two o'clock.

Carried.

Senate met at two o'clock P. M.

President in the chair.

Roll called.

Quorum present.

By Mr. Small, on leave:

Resolved, That a committee of three be appointed to visit the Bowers Mansion, and report as to the propriety of the State purchasing the same for an insane asylum.

Adopted.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 27th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 54—entitled "An Act appropriating money for the payment of certain claims against the State of Nevada"—which passed the Assembly: Yeas, 35; nays, 10.

Also, Assembly Bill No. 103—"An Act to create Contingent Funds for the Senate and Assembly"—which passed the Assembly: Yeas, 42; nays, none.

Also, Assembly Concurrent Resolution—"Concerning freights and fares of the Central Pacific Railroad"—which passed the Assembly: Yeas, 40; nays, 6.

Also, Assembly Joint Resolution and Memorial No. 21—"Relative to military reservations in the State of Nevada"—which passed the Assembly: Yeas, 30; nays, 10.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 28th, 1873. }

To the honorable the Senate:

I am directed by the honorable the Assembly, to request your honorable body to transmit to the Assembly the Report of the Warden of the State Prison, for their consideration; to be returned to your honorable body when copied.

Respectfully,

A. WHITFORD, Clerk.

COMMUNICATION FROM THE SECRETARY OF STATE.

STATE OF NEVADA, OFFICE OF SECRETARY OF STATE, }
CARSON CITY, February 28th, 1873. }

To the honorable the Senate:

I have the honor to transmit herewith the claim of J. A. Lovejoy.
By order of the Board of Examiners.

Very respectfully,

J. D. MINOR,
Secretary of State.

Mr. Small moved to refer the claim to a special committee of three.
Mr. Phelan moved to amend by referring to Committee of the Whole.
Carried.

NOTICE.

By Mr. Moore: That he will, on some future day, introduce a bill for an Act for the relief of the heirs of Morton and Black, escaped convicts, who were hung by a mob at Bishop Creek.

REPORT OF COMMITTEE ON ENGROSSMENT.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 20—"An Act to provide for the government of the State Prison of the State of Nevada"—with the original copy thereof, and find it correctly engrossed.

THEO. S. DAVENPORT,
ROBERT McBETH,
Committee.

INTRODUCTION OF BILLS.

Mr. Phelan, without previous notice, introduced Senate Bill No. 229—"An Act to provide for the publication of the session laws of eighteen hundred and seventy-three."

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Printing.

Carried.

The President announced as committee to examine the Bowers Mansion, Messrs. Small, Thompson, and Stevenson.

Mr. Cassidy, without previous notice, introduced Senate Bill No. 230—"An Act to define the duties of the Lieutenant Governor, and to fix his compensation therefor."

Mr. Cassidy moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on State Affairs.

Carried.

Senate Bill No. 231—"An Act for the relief of S. H. Marlette"—reported from Committee on Claims.

Mr. Stevenson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

Assembly Concurrent Resolution No. 1—"Concerning fares and freights on the Central Pacific Railroad."

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Railroads and Internal Improvements.

Mr. Cleveland moved to amend by referring the bill to Committee on Federal Relations.

Carried.

Assembly Memorial to Congress and Joint Resolution No. 21—"Relative to military reservations in the State of Nevada."

Read first time.

Mr. Cleveland moved that the rules be suspended; the resolution read the second time by title, and referred to Committee on Public Lands.

Carried.

Assembly Bill No. 54—"An Act to appropriate money for the payment of certain claims against the State of Nevada."

Mr. Mills moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee on Claims.

Carried.

Mr. Mills, without previous notice, introduced Senate Bill No. 235—"An Act to discourage quackery."

Read first time.

Mr. Mills moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Thompson, by leave and without previous notice, introduced Senate Bill No. 236—"An Act to provide for the settlement of claims for damages for killing or maiming domestic animals within the State."

Mr. Thompson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

GENERAL FILE.

Senate Bill No. 53—"An Act to protect miners."

On motion of Mr. Phelan, bill ordered engrossed.

Senate Bill No. 42—"An Act to exempt the property of the Miners' Union of the State of Nevada from taxation."

On motion, ordered engrossed.

Senate Bill No. 173—"An Act to establish a portion of the western boundary line of the State of Nevada."

Mr. Thompson moved that the bill be ordered engrossed.

Mr. McClinton moved, as an amendment, that the bill be indefinitely postponed.

Roll called, and motion lost by the following vote:

YEAS—Messrs. Campbell, Hobart, Lockwood, McClinton, Moore, Small, and Varian—7.

NAYS—Messrs. Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McCoy, McBeth, Phelan, Stevenson, Thompson, and Walter—14.

Mr. Lockwood moved the previous question, called for by Messrs. Lockwood, Phelan, and Thompson.

Carried.

Question being, "Shall the main question be now put?" was carried, and the bill ordered engrossed.

Senate Bill No. 198—"An Act to provide for the erection of county buildings in Humboldt County, and for the issuance of bonds therefor."

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Davenport, Hazlett, Hobart, Lockwood, McClinton, Moore, Phelan, Small, Stevenson, Varian, Walter, and Wilson—14.

NAYS—Messrs. Cleveland, Eastman, Fox, Hill, McCoy, Mills, McBeth, and Thompson—8.

Mr. Clapp, by leave, and without previous notice, introduced Senate Bill No. 237—"An Act in relation to the salary of the District Judge of the Seventh Judicial District."

Read first time.

Mr. Clapp moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Assembly Bill No. 103—"An Act to create Contingent Funds for the Senate and Assembly."

Mr. Lockwood moved to refer the bill to the Committee of the Whole.

Carried.

Senate Bill No. 213—An Act to amend an Act entitled "An Act to authorize the Commissioners of Ormsby County to issue to the Virginia and Truckee Railroad Company bonds to the amount of two hundred

thousand dollars, and provide for the payment of the same," approved January twenty-seventh, eighteen hundred and sixty-nine.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Thompson, Varian, Walter, and Wilson—21.

NAYS—None.

Senate Bill No. 210—"An Act to provide for printing the Annual Reports of the State Treasurer and State Controller."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McClinton, Moore, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—18.

NAYS—None.

Senate Bill No. 194—"An Act to purchase the compilation of the laws of the State of Nevada."

Mr. McBeth moved to refer to a special committee of one, with instructions to strike out in section five the word "eight" and insert the word "six."

Carried.

The President appointed Mr. McBeth as such committee, who reported the amendment made as per instructions.

Mr. McClinton moved to refer the bill to a special committee of one, with instructions to make amendments as follows: In lines five and six, section one, strike out the words "Bonnifield and Healy" and insert the words "Robert Desty;" also, in line nine, section one, strike out the words "six thousand" and insert the the words "twenty-five hundred;" in line five, strike out the word "their" and insert "his;" in line two, section four, strike out "Bonnifield and Healy" and insert "R. Desty;" in line, six, "compiler" for "compilers;" in line three, section four, strike out "Bonnifield and Healy" and insert "Robert Desty;" in section five, line three, insert "twenty-five hundred" in lieu of "six thousand."

Mr. Moore moved that the bill be indefinitely postponed.

Mr. McBeth moved a call of the Senate.

Carried.

Roll called; all present, except Messrs. Crawford and Mills.

Mr. McClinton moved that further proceedings under the call be dispensed with; on which the yeas and nays were called for by Messrs. Varian, Hill, and McBeth, and motion lost by the following vote:

YEAS—Messrs. Campbell, Cleveland, Eastman, Lockwood, McClinton, Thompson, and Walter—7.

NAYS—Messrs. Cassidy, Clapp, Davenport, Fox, Hazlett, Hill, Hobart, McCoy, Moore, McBeth, Phelan, Small, Stevenson, Varian, and Wilson—15.

Mr. Mills appearing at the bar of the Senate was, on motion, excused and admitted to his seat.

Mr. McBeth moved that further proceedings under the call be dispensed with.

Lost.

Mr. Crawford appearing at the bar of the Senate was, on motion, excused and admitted to his seat.

Mr. McBeth moved that further proceedings under the call be dispensed with.

Carried.

The question being on the motion of Mr. Moore, to indefinitely postpone, the yeas and nays were called for by Messrs. Moore, Phelan, and Davenport, and motion lost by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Eastman, Lockwood, McClinton, Small, Thompson, and Walter—10.

NAYS—Messrs. Cassidy, Davenport, Fox, Hazlett, Hill, Hobart, McCoy, Mills, Moore, McBeth, Phelan, Stevenson, Varian, and Wilson—14.

The question recurring on Mr. McClinton's motion, to refer to a special committee of one, with instructions, the yeas and nays were called, and motion lost by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, McClinton, Moore, and Thompson—6.

NAYS—Messrs. Cassidy, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, Mills, McBeth, Phelan, Small, Stevenson, Varian, Walter, and Wilson—18.

On final passage of the bill the roll was called, and bill passed by the following vote:

YEAS—Messrs. Cassidy, Crawford, Davenport, Fox, Hazlett, Hill, Hobart, McCoy, Mills, Moore, McBeth, Phelan, Small, Varian, and Wilson—15.

NAYS—Messrs. Campbell, Clapp, Cleveland, Eastman, Lockwood, McClinton, Stevenson, Thompson, and Walter—9.

Mr. Moore gave notice that he would, on to-morrow, move a reconsideration of the vote whereby the above bill was passed.

Mr. Phelan moved to adjourn.

Carried.

So, at five o'clock and fifteen minutes P. M., Senate adjourned.

Approved:

ISRAEL CRAWFORD,

President pro tem.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FIFTY-FIFTH DAY.

CARSON CITY, March 1st, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Moore, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

Absent—Messrs. Cassidy, McCoy, Mills, and McBeth—4.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

PETITION.

Mr. Stevenson introduced a petition from Champion Lodge No. 6, I. O. G. T., Virginia City—Relative to the passage of the bills for the better observance of the Christian Sabbath, and for prohibiting gambling.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Claims, to which was referred Assembly Bill No. 54—"An Act to appropriate money to pay certain claims against the State"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend it be referred to the Committee of the Whole.

Also, the claim of A. D. Treadway, for supplies furnished the State Prison—which they have come to a favorable conclusion on, and have directed their Chairman to report the same to the Senate with the accompanying bill, and recommend it be referred to the Committee of the Whole, and that it do pass.

JAMES PHELAN, Chairman.

Mr. PRESIDENT: Your Standing Committee on Printing, to which was referred Senate Bill No. 229—entitled "An Act to provide for the publication of the session laws of eighteen hundred and seventy-three"—report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate without recommendation.

GEO. W. CASSIDY, Chairman.

Mr. PRESIDENT: Your Standing Committee on State Affairs, to which was referred Senate Bill No. 230—entitled "An Act to define the duties of the Lieutenant Governor, and to fix his compensation therefor"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate with the recommendation that it do pass.

Also, Senate Concurrent Resolution No. 206—Relative to the appoint-

ment of a commission to prepare a formula for account, etc.—report the same to the Senate without recommendation.

W. S. HOBART, Chairman.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 181—entitled “An Act to authorize the Counties of Lincoln and Nye, in the State of Nevada, to subscribe to the capital stock of the Humboldt and Colorado Railroad Company;”

Also, Senate Bill No. 207—“An Act to legalize certain acts of the Board of County Commissioners of Lincoln County;”

Also, Senate Bill No. 227—“An Act to provide for the support of public schools of Eureka County;”

Also, Senate Bill No. 197—“An Act to apportion the Senatorial representation of White Pine County;”

Also, Senate Bill No. 174—“An Act to prescribe an additional penalty for the non-payment of taxes in certain cases after suit;”

Also, Senate Bill No. 209—“An Act relative to the treatment of the indigent sick in this State;”

Also, Senate Bill No. 123—“An Act to regulate fees and compensation for official services;”

With the original copies thereof, and find them correctly engrossed.

ISRAEL CRAWFORD, Chairman.

MOTIONS AND RESOLUTIONS.

By Mr. Mills: Resolution relative to claim of Samuel Hyatt, for drawing up the Report of the Warden of the State Prison.

On motion, referred to Committee on Claims.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 28th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 64—“An Act for the more effectual prevention of cruelty to animals”—which passed the Assembly: Yeas, 39; nays, 5.

Also, Assembly Bill No. 95—“An Act to supply the Town of Elko, in Elko County, with water, for extinguishment of fire and other purposes, and to define the boundaries of said town”—which passed the Assembly: Yeas, 35; nays, 8.

Also, Assembly Bill No. 108—An Act to amend an Act entitled “An Act for the purpose of placing the finances of Lyon County upon a permanent cash basis, and to provide for the payment of the outstanding indebtedness of the said county”—which passed the Assembly: Yeas, 39; nays, none.

Also, Assembly Bill No. 92—“An Act concerning vagrants and vagrancy”—which passed the Assembly: Yeas, 43; nays, none.

Also, Assembly Bill No. 28—“An Act for the construction of fences and the planting of trees at the State Orphans' Home”—which passed the Assembly: Yeas, 42; nays, none.

Also, return to your honorable body, Senate Bill No. 94—"An Act providing for the appointment and payment of an agent or agents at Washington City, D. C., for attending to the certification of lands granted by Congress to the State of Nevada"—which passed the Assembly: Yeas, 40; nay, 1.

Also, Senate Bill No. 154—"An Act to create and fix the compensation of the office of President of the Board of Directors of the State Library"—which passed the Assembly: Yeas, 35; nays, 9.

Also, Senate Bill No. 151—"An Act for the relief of the California Institute for the Education of the Deaf and Dumb, and the Blind"—which passed the Assembly: Yeas, 44; nays, none.

Also, Senate Bill No. 141—"An Act for the relief of Francis S. Armistead"—which passed the Assembly: Yeas, 30; nays, 13.

Also, Senate Bill No. 38—"An Act for the relief of John B. Helm, Sheriff of Esmeralda County"—which was amended as follows: In section one, line two, after the word "dollars" insert the words "less five hundred dollars paid for capture of said prisoners;" which passed the Assembly so amended: Yeas, 42; nays, 2.

Also, Senate Bill No. 68—"An Act making appropriations for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years"—which was amended as follows, to wit: In section one, fourth line, after the word "State," insert "of Nevada;" in same section, strike out "For contingent expenses of Board of Examiners, twelve hundred dollars;" in same section, strike out lines forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, and fifty-six, and insert in lieu thereof, the words, "For draining the basement of the State Capitol, to be expended under the direction and supervision of the Board of State Prison Commissioners, twelve hundred dollars;" on last page of bill, strike out after the word "Prison," in fourth line from the top, the words "three thousand" and insert the words "thirty-six hundred;" in tenth line from top, strike out the letter "s" from the word "papers;" in next to last line of section one, after the word "library" insert the words "and Board of Examiners;" and then passed the Assembly by the following vote: Yeas, 46; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, February 28th, 1873. }

To the honorable the Senate:

I am instructed to inform your honorable body that the Assembly has this day concurred in the amendments reported by the committee of free conference on Assembly Bill No. 29—"An Act for the government and maintenance of the State Orphans' Home," by the following vote: Yeas, 43; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

INTRODUCTION OF BILLS.

Senate Bill No. 238—"An Act for the relief of A. D. Treadway"—reported from Committee on Claims.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

Assembly Bill No. 64—"An Act for the more effectual prevention of cruelty to animals."

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Committee on Public Morals.

Carried.

Assembly Bill No. 95—"An Act to supply the Town of Elko, in Elko County, with water for extinguishment of fires and other purposes, and to define the boundaries of said town."

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Elko delegation.

Carried.

Assembly Bill No. 92—"An Act concerning vagrants and vagrancy."

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Public Morals.

Carried.

Assembly Bill No. 28—"An Act for the construction of fences and the planting of trees at the State Orphans' Home."

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on State Affairs.

Carried.

Assembly Bill No. 108—"An Act to amend an Act entitled "An Act for the purpose of placing the finances of Lyon County upon a permanent cash basis, and to provide for the payment of the outstanding indebtedness of the said county."

Mr. Hazlett moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Lyon County delegation.

Carried.

Senate Bill No. 122—"An Act to establish a commission for the revision of the laws," taken up on motion of Mr. Moore.

Mr. Moore moved that the bill be referred to Committee of the Whole.

Carried.

Senate Bill No. 73—"An Act entitled "An Act to regulate the sale of poisonous drugs, medicines, and patent medicines."

Mr. Mills moved that the bill be ordered engrossed.

Carried.

GENERAL FILE.

Senate Bill No. 176—"An Act to encourage the artificial cultivation and propagation of fish in the State of Nevada."

Mr. Moore moved that the bill be referred to a special committee of

one, with instructions to insert the word "five" in lieu of blank in line four.

Carried.

Mr. Moore was appointed as such committee, and reported the amendment made as per instructions.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAYS—Messrs. Fox, Hill, and Phelan—3.

Senate Bill No. 207—"An Act to legalize certain acts of the Board of County Commissioners of Lincoln County."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, Lockwood, McClinton, Mills, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

NAYS—None.

Senate Bill No. 227—"An Act to provide for the support and maintenance of the public schools of Eureka County."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McClinton, Mills, Moore, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—20.

NAYS—None.

Senate Bill No. 190—"An Act amendatory of and supplementary to An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and powers," approved March eighth, eighteen hundred and sixty-five.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Stevenson, Thompson, Varian, Walter, and Wilson—21.

NAYS—Messrs. Cassidy and Small—2.

Mr. Thompson gave notice that he would, on to-morrow, move a reconsideration of the vote by which the above bill was passed.

Ruled out of order.

Mr. Eastman moved to refer the bill to a special committee of one, with instructions to amend the title by inserting "An Act to amend an Act entitled."

The President appointed Mr. Eastman as such committee, who reported the amendment made as per instructions.

Mr. Cleveland moved that the vote by which the bill passed be now reconsidered.

Lost.

REPORT OF JUDICIARY COMMITTEE (on leave).

Mr. PRESIDENT: Your Judiciary Committee, to whom was referred Senate Bill No. 114—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice of Nevada Territory"—beg leave to report the same back, and recommend that it do pass.

J. G. McCLINTON,
A. C. CLEVELAND,
A. J. LOCKWOOD,
Committee.

Mr. Lockwood moved that Senate Bill No. 114 be made special order for two o'clock P. M., to-day.

Carried.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 42—"An Act to exempt the property of the Miners' Union of the State of Nevada from taxation;"

Also, Senate Bill No. 53—"An Act to protect miners;"

Also, Senate Bill No. 173—"An Act to establish a portion of the western boundary line of the State of Nevada;"

Also, Senate Bill No. 235—"An Act to discourage quackery;"

Also, Senate Bill No. 237—"An Act relative to the salary of the Judge of the Seventh Judicial District;"

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBERT McBETH,
Committee.

Mr. Varian moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President in the chair.

Roll called.

Quorum present.

SPECIAL ORDER.

Senate Bill No. 114—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada."

Mr. McClinton moved that the special order be postponed for five minutes.

Carried.

Mr. McClinton moved that the Senate go into Committee of the Whole, for the consideration of Assembly Bill No. 103—"An Act to create Contingent Funds for the Senate and Assembly."

Carried.

Mr. McClinton in the chair.

In time, the committee rose, and reported as follows:

Mr. President: Your committee have had under consideration Assembly Bill No. 103—"An Act to create Contingent Funds for the Senate and Assembly"—which they report back, and recommend its passage.

On motion of Mr. Phelan, special order was postponed, in order to present the following report:

Mr. President: Your Standing Committee on Claims, to which was referred Senate Resolution—Relative to the payment of Samuel Hyatt—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate with the recommendation that it be adopted.

Mr. Mills moved that the Senate adjourn at three o'clock and thirty minutes p. m.

Carried.

Senate Bill No. 114, special order, taken up, and, on motion of Mr. Crawford, was ordered engrossed.

Senate Bill No. 36—"An Act for the relief of John B. Helm, Sheriff of Esmeralda County."

The amendments made by the Assembly were concurred in, and the bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—22.

NAYS—None.

Senate Bill No. 103—"An Act to create Contingent Funds for the Senate and Assembly."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Wilson—19.

NAYS—None.

Senate Bill No. 181—"An Act to authorize the Counties of Lincoln and Nye, in the State of Nevada, to subscribe stock to the Humboldt and Colorado Railroad Company, and to aid in the construction of a railroad from a point at or near Palisade to the Colorado River."

Mr. Walter moved to refer to a special committee of one, with instructions to insert after the word "a" the word "continuous." Also, to strike out the words "a majority of legal voters," and insert in lieu "three fifths of the taxpayers representing three fifths of the assessed valuation," in line sixteen, section one; and strike out the words "a majority of the voters upon such lists," and insert the words "three fifths of the taxpayers representing three fifths of the assessed valuation," in line twenty-two, section one, of the printed bill.

Carried.

The President appointed Mr. Walter as such committee, who reported the amendments made as per instructions.

Mr. Cassidy moved to refer to a special committee of one, with

instructions to add a new section, to be section eleven, and that the present section eleven shall be section twelve.

Carried.

Mr. Cassidy, as such committee, reported the bill amended as per instructions.

Mr. Wilson moved to refer to a special committee of one, with instructions to insert in line six of section two, after the word "directed," insert "upon petition as hereinafter provided." Also, in line twenty-four, section two, insert after word "County," "representing three fifths of the taxable property."

Carried.

Mr. Wilson, as such committee, reported the amendments made as per instructions.

Mr. Clapp moved to refer to a special committee of one, with instructions to amend by inserting a new section, to be called section twelve, and the present section twelve to be section thirteen.

Carried.

Mr. Clapp, as such committee, reported the amendments made as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Walter, and Wilson—18.

NAYS—None.

Mr. Varian, by leave, and without previous notice, introduced Senate Bill No. 244—An Act to amend an Act entitled "An Act to restrict gaming."

Read first time.

Mr. Varian moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Wilson asked for indefinite leave of absence.

Leave granted.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
March 1st, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, Senate Bill No. 14—"An Act to create the County of Eureka, and provide for its organization."

I desire to inform you that I entertain weighty objections to the third section of the Act. I believe the nomination of the officers of the proposed County of Eureka to be a trespass upon Executive powers; yet I forbear to urge my objections, impressed as I am with the present need of the population of Eureka for increased facilities in the transaction of public business. Considerations of general convenience alone have influenced my course in this matter.

Having weighed the sacrifice of personal dignity against the difficulties in the transaction of public business which now impede the prosperity and progress of the Town of Eureka and vicinity, I have pre-

ferred the former to the latter. But I desire it to be distinctly understood, that in so doing I do not admit the existence of the powers which you have assumed.

This question has been a source of difference between the Executive and the Legislature for the last three sessions. No authoritative decision by the Supreme Court upon the point at issue has yet been announced. I shall take immediate steps, by the appointment of officials other than those named in the bill, to secure such an expression of opinion. I am anxious that the question should be set at rest, and deem the method of procedure indicated an appropriate course to that end.

Petitions, signed by numerous inhabitants of the City of Austin, have been presented, urging me to obstruct the passage of the bill on account of the provisions of the fourth section. In this matter, finding no constitutional objections, I cannot interfere. The question is entirely between the junior Senator from Lander and a constituency unwilling to acknowledge and approve him as its representative.

L. R. BRADLEY.

Mr. Phelan moved that the Senate go into Committee of the Whole, for the purpose of considering bills on General File.

Carried.

In time, the committee rose, and presented the following report:

MR. PRESIDENT: Your committee have had under consideration Assembly Bill No. 37—"An Act making appropriations for deficiencies in the seventh and eighth fiscal years"—and recommend the adoption of the amendments as reported by the Committee on Claims.

On motion, the amendments recommended by the Committee of the Whole were taken up; pending the consideration of which, pursuant to previous motion, the Senate, at three o'clock and thirty minutes P. M., adjourned until Monday, March third, at eleven o'clock A. M.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FIFTY-SEVENTH DAY.

CARSON CITY, March 3d, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called.

The following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport,

Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—23.

Absent, on leave—Mr. Wilson—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of Saturday read and approved.

Mr. Cassidy rose to a question of privilege in reference to the Governor's message of Saturday last.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on State Library, to which was referred the Report of the Directors of the State Library, report that they have had the same under consideration, and have directed their Chairman to report the same to the Senate, with the recommendation that it be ordered printed.

VARIAN, Chairman.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 154—"An Act to create and fix the compensation of the office of President of the Board of Directors of the State Library;"

Also, Senate Bill No. 151—"An Act for the relief of the California Institute for the Education of the Deaf and Dumb and Blind;"

Also, Senate Bill No. 141—"An Act for the relief of Francis S. Armistead;"

Also, Senate Bill No. 38—"An Act for the relief of John B. Helm, Sheriff of Esmeralda County;"

Also, Senate Bill No. 227—"An Act to provide for the support and maintenance of the public schools of Eureka County;"

Also, Senate Bill No. 94—"An Act providing for the appointment and payment of an agent at Washington City, D. C., for attending to the certification of lands granted by Congress to the State of Nevada;"

Also, Senate Bill No. 198—"An Act to provide for the erection of county buildings in Humboldt County, and for the issuance of bonds therefor;"

Also, Senate Bill No. 137—"An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act relating to attorneys and counselors at law,' approved October thirty-first, eighteen hundred and sixty-one," approved March fourth, eighteen hundred and seventy-one;

Also, Senate Bill No. 152—"An Act to provide for the payment of the claim of Calvin Swift;"

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 73—"An Act to regulate the sale of poisonous drugs, medicines, and patent medicines"—with the original copy thereof, and find it correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,
Committee.

Mr. President: Your Standing Committee on Public Lands, to which was referred Memorial and Joint Resolution—Relative to military reservations in the State of Nevada—report that they have had the same under consideration, have come to no conclusion thereon, and have directed their Chairman to report the same to the Senate, without recommendation.

WALTER, Chairman.

Mr. President: Your Standing Committee on Public Morals, to which was referred Assembly Bill No. 92—"An Act concerning vagrants and vagrancy"—report that they have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with amendments, and recommend its passage as amended.

Also, Assembly Bill No. 64—"An Act for the more effectual prevention of cruelty to animals"—report that they have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend its passage.

CLAPP, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, March 1st, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, Senate Bill No. 141—"An Act for the relief of Francis S. Armistead."

Also, Senate Bill No. 38—"An Act for the relief of John B. Helm, Sheriff of Esmeralda County;"

Also, Senate Bill No. 151—"An Act for the relief of the California Institution for the Education of the Deaf and Dumb and Blind;"

Also, Senate Bill No. 154—"An Act to create and fix the compensation of the office of President of the Board of Directors of the State Library."

L. R. BRADLEY.

Mr. Mills, by leave, presented a petition from the residents of the northeast portion of Nye County, requesting to be ceded to White Pine County.

REPORT OF SELECT COMMITTEE.

Mr. McClinton, from the select committee to which was referred Senate Bill No. 191—"An Act to redistrict the State of Nevada"—reported that they have had the same under consideration, and have directed their Chairman to report the inclosed substitute, with recommendation that it pass.

Senate Bill No. 191—"An Act to redistrict the State of Nevada"—reported from select committee.

Read first time.

Mr. Eastman moved that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

MOTIONS AND RESOLUTIONS.

Mr. Varian moved that two hundred and forty copies of the Report of the Board of Directors [?] be ordered printed.

Carried.

By Mr. McClinton:

Resolved, That the Clerk of the Committee on Compilation be and he is hereby discharged; and that he shall receive pay from the date of his appointment up to February twenty-first, eighteen hundred and seventy-three, the date of the report of said committee.

Adopted.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, March 1st, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 85—"An Act for the relief of T. W. Triplett, late Assessor of Lander County"—the same having passed the House this day by the following vote: Yeas, 38; nays, none.

Also, to return to your honorable body the following Senate bills, which passed the House this day: Senate Bill No. 227—"An Act to provide for the support and maintenance of the public schools of Eureka County:" Yeas, 32; nays, none.

Senate Bill No. 137—"An Act to amend an Act entitled "An Act relative to attorneys and counselors at law, approved October thirty-first, eighteen hundred and sixty-one," approved March fourth, eighteen hundred and seventy-one: Yeas, 31; nays, none.

Senate Bill No. 198—"An Act to provide for the erection of county buildings in Humboldt County, and for the issuance of bonds therefor:" Yeas, 30; nays, none.

Senate Bill No. 152—"An Act to provide for the payment of the claim of Calvin Swift:" Yeas, 29; nays, 12.

Also, return Senate Concurrent Resolution No. 139—Relative to the payment of Emanuel Penrod—which passed the House this day: Yeas, 32; nay, 1.

Senate Bill No. 93—"An Act entitled "An Act in relation to public highways"—which passed the House this day, with the following amendments: In line five, printed bill, after the word "all," strike out the word "sums" and insert the word "moneys;" in line six, same section, after the word "collection" insert "or notifying men to work on the road:" Yeas, 45; nays, none.

I also transmit, for your consideration, Assembly Bill No. 66—entitled "An Act relating to elections"—which passed the House this day by the following vote: Yeas, 43; nays, none.

Also, Assembly Bill No. 72—"An Act to consolidate and fund the indebtedness of White Pine County"—which passed the House this day by the following vote: Yeas, 32; nays, none.

Also, Assembly Bill No. 83—entitled "An Act to encourage the construction of a railroad from Reno to Susanville"—which passed the House this day: Yeas, 30; nay, 1.

Also, Substitute for Assembly Bill No. 98—entitled "An Act to

define and establish the boundary line between Humboldt and Lander Counties"—which passed the House this day by the following vote: Yeas, 33; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, March 1st, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Bill No. 91—"An Act authorizing the State Treasurer to return certain vouchers to the Controller, and receive credits for the same"—which passed the Assembly: Yeas, 31; nays, none.

I am also instructed to return to your honorable body Senate Bill No. 207—entitled "An Act to legalize certain acts of the Board of County Commissioners of Lincoln County"—for correction in fifth line of section one.

Respectfully,

A. WHITFORD, Clerk.

Mr. Stevenson gave notice that he would, on to-morrow, move to reconsider the vote whereby the resolution introduced by Mr. McClinton, relative to the discharge of the clerk of the Committee on Compilation of Laws, was adopted.

INTRODUCTION OF BILLS.

Mr. Cassidy, without previous notice, introduced Senate Bill No. 245—"An Act to provide funds for the payment of the current expenses of Eureka County."

Read first time.

Mr. Cassidy moved that the rules be suspended; the bill read the second time by title; that the rules be further suspended, and placed on its third reading and final passage.

Carried.

SPECIAL ORDER.

The time having arrived at which Senate Bill No. 172—An Act to repeal an Act entitled "An Act to aid the Nevada Benevolent Association in providing means to erect an insane asylum"—was made the special order for, the bill was called up by the President.

Mr. Varian moved that the special order be postponed five minutes.

Carried.

Roll called on final passage of Senate Bill No. 245, and the bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Small, Stevenson, Varian, and Walter—20.

NAYS—None.

Mr. Cleveland, by leave and without previous notice, introduced Senate Bill No. 246—"An Act to grant the right of way to T. N. Brown and his associates to build and maintain a narrow gauge railroad through the Counties of Elko, White Pine, Nye, and Lincoln."

Read first time.

Mr. Cleveland moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Senate Bill No. 172, special order.

Mr. Lockwood moved that the bill be made the special order for twelve o'clock M. to-morrow.

Mr. Mills moved, as an amendment, to lay the bill on the table.

Carried.

Mr. Varian, by leave, and without previous notice, introduced Senate Bill No. 247—"An Act entitled An Act to prohibit gaming."

Read first time.

Mr. McClinton moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

On the motion, the yeas and nays were called for by Messrs. Cassidy, Varian, and McBeth, and the motion lost by the following vote:

YEAS—Messrs. Campbell, Cleveland, Davenport, Eastman, Hazlett, Hobart, McClinton, Mills, Moore, Stevenson, Thompson, Varian, and Walter—13.

NAYS—Messrs. Cassidy, Clapp, Crawford, Fox, Hill, Lockwood, McCoy, McBeth, Phelan, and Small—10.

Mr. McClinton moved that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

On which the yeas and nays were called for by Messrs. Cassidy, Varian, and McClinton, and motion lost by the following vote:

YEAS—Messrs. Campbell, Cleveland, Davenport, Eastman, Hobart, McClinton, Mills, Moore, Stevenson, Thompson, Varian, and Walter—12.

NAYS—Messrs. Cassidy, Clapp, Crawford, Fox, Hazlett, Hill, Lockwood, McCoy, McBeth, Phelan, and Small—11.

Assembly Bill No. 91—"An Act authorizing the State Treasurer to return certain vouchers to the Controller and receive credit for the same."

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Ways and Means.

Carried.

Assembly Bill No. 72—"An Act to consolidate and fund the indebtedness of White Pine County."

Mr. McBeth moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the White Pine delegation.

Carried.

Substitute for Assembly Bill No. 98—"An Act to define and establish the boundary line between Humboldt and Lander Counties."

Mr. Eastman moved that the reading had be considered the first read-

ing of the bill; that the rules be suspended; the bill read the second time by title, and referred to the delegations from Humboldt and Lander Counties.

Carried.

Assembly Bill No. 83—"An Act to encourage the construction of a railroad from Reno to Susanville."

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to Washoe delegation.

Carried.

Assembly Bill No. 85—"An Act for the relief of T. W. Triplett, late Assessor of Lander County."

Mr. Crawford moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Lander County delegation.

Carried.

Assembly Bill No. 66—"An Act relating to elections."

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Elections.

Carried.

Mr. Cassidy, from the Lander County delegation, reported back Assembly Bill No. 85, and recommended that it be referred to Committee of the Whole.

Assembly Bill No. 105—"An Act to grant the right of way to J. E. Rooker, A. A. Curtis, M. A. Sawtelle, their associates and assigns, to build and maintain a railroad from the Pacific Railroad to the City of Austin."

Mr. Cassidy moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read a second time by title, and referred to Lander delegation.

Carried.

Mr. Phelan moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President in the chair.

Roll called.

Quorum present.

GENERAL FILE.

Senate Bill No. 237—"Relative to the salary of Judge of the Fifth Judicial District."

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Mills, Moore, Stevenson, Thompson, and Walter—15.

NAYS—Messrs. Crawford, Lockwood, McCoy, McClinton, Phelan, Small, and Varian—7.

Assembly Bill No. 37—"An Act making appropriations for the seventh and eighth fiscal years."

Mr. Crawford moved that the amendments recommended by the Committee of the Whole be adopted seriatim.

Carried.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Mills, Moore, Phelan, Small, Stevenson, Thompson, and Walter—17.

NAYS—None.

Mr. Mills, from Senate Committee on State Prison, presented the following report, by leave:

MR. PRESIDENT: Your Standing Committee on State Prison Affairs, to which was referred the First Biennial Report of the Warden of the State Prison, find the following conclusions and report.

[For which, see Appendix.]

Mr. Moore, by leave, from the special committee to which was referred Assembly Bill No. 95, report that they have had the same under consideration, have come to a favorable conclusion thereon, report the same to the Senate, and recommend its passage.

MR. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 244—entitled An Act to amend an Act entitled "An Act to restrict gaming"—with the original copy thereof, and find it correctly engrossed.

ISRAEL CRAWFORD, Chairman.

REPORTS (on leave).

MR. PRESIDENT: Your select committee, composed of the Lander delegation, to which was referred Assembly Bill No. 105—entitled "An Act to grant the right of way to J. E. Rooker, A. A. Curtis, M. A. Sawtelle, and their associates and assigns, to build and maintain a railroad from the Central Pacific Railroad to the City of Austin, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the recommendation that it do pass.

GEO. W. CASSIDY, Chairman.

MR. PRESIDENT: Your Standing Committee on State Affairs, to which was referred Assembly Bill No. 28—"An Act for the construction of fences and the planting of trees at the State Orphans' Home"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the recommendation that it do pass.

W. S. HOBART, Chairman.

By Mr. Hazlett, by leave:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to draw eighteen hundred and eighty-seven dollars and fifty cents from

the Contingent Fund of the Senate; the same to be deposited by him with Wells, Fargo & Company, in Carson, and disbursed for contingent expenses, upon order of the Senate. Should any funds remain after all orders are paid, the same shall revert to the General Fund of the State.

Adopted.

Senate Bill No. 68—"An Act making appropriations for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years"—returned from the Assembly with amendments, as follows: In section one, insert the words "of Nevada;" also, in section one, page four, in line ten from top, strike out the letter "s" from the word "papers." The remaining Assembly amendments were not concurred in.

- Senate Bill No. 20—"An Act to provide for the government of the State Prison of the State of Nevada."

Mr. Davenport moved that Senate Bill No. 20 be made the special order for seven o'clock this evening.

Carried.

Mr. Stevenson moved that [the] Senate resolve itself into Committee of the Whole for the purpose of considering all bills referred thereto, with President pro tem. in the chair.

Carried.

In time, the committee rose, and presented the following report:

Mr. PRESIDENT: Your Committee of the Whole have had under consideration the following bills, viz: Senate Bill No. 138—"An Act to consolidate the offices of Lieutenant Governor and State Librarian"—which they report back and recommend that it be indefinitely postponed.

Also, Senate Bill No. 202—"An Act to provide for the publication of the general laws of this State, in force at the expiration of the sixth session of the Legislature—which they report back with the recommendation that it be indefinitely postponed.

Also, Senate Bill No. 211—"An Act to tax dogs"—which they report back with the recommendation that the words "not less than one dollar, nor more than fifty dollars," be struck out, and that the words "two dollars" be inserted. Also, in section four, "this tax shall be levied and collected by the County Assessors of this State, in the same manner that taxes on personal property are levied and collected"—which they report back and recommend that it pass.

Also, Assembly Bill No. 6—"An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto"—which they report back without recommendation.

Also, Senate Bill No. 208—"An Act to locate the State University, and to provide for the control and maintenance of the same"—in which they have filled blank in section one with the words "the Town of Elko"—which they report back, and recommend it do pass.

Also, Senate Bill No. 109—"An Act to provide for the erection of a State Prison"—to which they make the following amendment: In section three, after the word "require," insert the words "for State Prison purposes"—which they report back, recommending that it pass as amended.

Also, Senate Bill No. 122—"An Act establishing a commission for the revision of the laws"—which they recommend be engrossed and passed.

Also, Senate Bill No. 218—"An Act to provide for the settlement of

the title to the State Prison lands, and for other purposes in relation thereto"—which they report back without recommendation.

Also, Senate Bill No. 216—"An Act to secure Nevada's quota of the fund for the National centennial celebration of the independence of the United States of America"—which they report back, and recommend it be engrossed and passed.

Also, Senate Bill No. 215—"An Act to secure photographs of State Prison convicts"—which they report back, and recommend it be engrossed.

Also, Senate Bill No. 171—"An Act to provide for the normal instruction of persons intending the profession of teaching in Nevada"—which they report back, with the recommendation that it pass.

Also, Senate Bill No. 236—"An Act to provide for the settlement of claims for damages for killing or maiming domestic animals within this State"—which they report back without recommendation.

Also, Senate Bill No. 220—"An Act to equalize representation in the Legislature of Nevada"—which they report, without recommendation.

Also, Senate Bill No. 231—"An Act for the relief of S. H. Marlette"—which they report back, without recommendation.

Also, Senate Bill No. 218—"An Act for the relief of A. D. Treadway"—which they report back, without recommendation.

Also, Senate Bill No. 191—"An Act to redistrict the State of Nevada"—which they report back, without recommendation.

Also, Assembly Bill No. 85—"An Act for the relief of T. W. Triplett, late Assessor of Lander County"—which they report back, without recommendation.

Also, Assembly Bill No. 54—"An Act to appropriate money for the payment of certain claims against the State of Nevada"—which they report back, without recommendation.

Resolution by Mr. Mills, on leave:

Resolved, That no bills shall be introduced into this Senate after to-morrow at five o'clock P. M., except such as may come in from the Assembly.

Adopted.

REPORT OF COMMITTEE (on leave).

Mr. Moore, from the Committee on Elections, to which was referred Assembly Bill No. 66—entitled "An Act relating to elections"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend its passage.

Mr. Moore moved that Assembly Bill No. 66 be placed at the top of the General File for to-morrow.

Carried.

Mr. Cleveland moved to take a recess until seven o'clock P. M.

Carried.

Senate met at seven o'clock P. M.

President in the chair.

Roll called.

Quorum present.

Mr. Phelan moved that the special order for seven P. M. be postponed for fifteen minutes.

Carried.

Mr. Phelan moved to take up bills on General File necessary to be referred to Committee of the Whole.

Carried.

Senate Bill No. 205—"An Act to abolish the office of State Printer, and to provide for the public printing."

Mr. Moore moved that the further consideration of the bill be indefinitely postponed.

Carried.

Senate Bill No. 182—"An Act to amend an Act entitled 'An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March ninth, eighteen hundred and sixty-five,' approved March fourth, eighteen hundred and seventy-one.

On motion, the bill was indefinitely postponed.

Senate Bill No. 219—"An Act for the payment of the equitable claim of Daniel G. and William H. Corbett."

Mr. Crawford moved to refer to Committee of the Whole.

Carried.

Senate Bill No. 103—"An Act to provide for the transportation of convicts and insane persons."

Mr. Stevenson moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 226—"An Act to provide for the payment of Peter Cavanaugh for the expenditures of money made by him for the completion of the State Capitol of Nevada."

Mr. Phelan moved to refer the bill to the Committee of the Whole.

Carried.

Senate Bill No. 185—"An Act concerning the compensation of registry agents."

Mr. Hill moved that the bill be indefinitely postponed.

Carried.

REPORT OF COMMITTEE (on leave).

Mr. PRESIDENT: Your select committee composed of the Lander and Humboldt delegations, to which was referred Assembly Bill No. 98—entitled "An Act to define and establish the boundary line between Humboldt and Lander Counties"—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the recommendation that it do pass.

GEO. W. CASSIDY, Chairman.

Senate Bill No. 229—"An Act to provide for the publication of the session laws of eighteen hundred and seventy-three."

Mr. Phelan moved that the bill be ordered engrossed.

Carried.

Mr. Phelan moved that special order be further postponed fifteen minutes.

Carried.

Senate Bill No. 230—"An Act to define the duties of the Lieutenant Governor and fix his compensation therefor."

Mr. Cassidy moved that the rules be suspended; the bill be considered engrossed, and placed on its third reading and final passage.

Carried unanimously.

Senate Concurrent Resolution No. 206—Relative to the appointment of a commission to prepare a formula for the keeping of records and accounts in the various departments of the State, county, and municipal Courts of the State of Nevada."

Mr. Lockwood moved that the resolution be indefinitely postponed.

Carried.

Mr. Phelan moved that special order be further postponed five minutes.

Carried.

Claim of Edward Luban, of Ormsby County, reported from Committee on Claims.

Referred to Committee of the Whole.

SPECIAL ORDER.

Senate Bill No. 20—"An Act to provide for the government of the State Prison of the State of Nevada."

Mr. Moore moved that the bill be referred to a special committee of one, to insert two new sections, numbered twenty-three and twenty-four.

Amendments withdrawn.

Mr. Phelan moved a call of the Senate.

Carried.

Roll called; all present except Messrs. McBeth and Varian.

Mr. Phelan moved that further proceedings under the call be dispensed with.

Carried.

Mr. Lockwood moved a call of the Senate.

Carried.

Roll called; all present except Mr. Varian.

Mr. McClinton moved that further proceedings under the call be dispensed with.

Carried.

Mr. McClinton asked leave of absence for Mr. Varian.

Leave granted.

On the motion to indefinitely postpone the bill, the yeas and nays were called, and the motion lost by the following vote:

YEAS—Messrs. Fox, Hazlett, Hobart, McCoy, Phelan, and Thompson—6.

NAYS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hill, Lockwood, McClinton, Mills, Moore, Small, Stevenson, and Walter—15.

Mr. Mills moved to refer to a special committee of one, with instructions to strike out the words in section four, "after the passage of this Act," and insert the words, "of April, A. D. eighteen hundred and seventy-three."

Mr. Mills, as such committee, reported the amendment made as per instructions.

Mr. Moore moved to refer the bill to a special committee of one, with instructions to insert two new sections, numbered twenty-three and twenty-four.

Lost.

Mr. Cleveland moved to refer to a special committee of one, with instructions to strike out that part of the bill requiring Bibles to be furnished to the prisoners.

Lost.

Mr. Mills moved to refer to a special committee of one, with instructions to strike out the word "eight," and insert the word "nine," in connection with the word "thousand."

Lost.

Mr. Thompson moved to adjourn.

Lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Hill, Lockwood, McClinton, Mills, Moore, Phelan, Small, Stevenson, and Walter—15.

NAYS—Messrs. Cassidy, Fox, Hazlett, Hobart, McCoy, and Thompson—6.

Senate Bill No. 197—"An Act to apportion the Senatorial representation of White Pine County"—taken up, on motion of Mr. Mills.

Mr. Stevenson moved that the bill be laid on the table.

Carried.

Mr. Hazlett, by leave and without previous notice, introduced Senate Bill No. 255—"An Act to provide for the allotment of Senators of the State of Nevada."

Mr. Stevenson moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Lockwood moved that the rules be further suspended; the bill considered engrossed, and placed on its third reading and final passage.

Carried.

Mr. McClinton gave notice that he would, on to-morrow, move a reconsideration of the vote whereby Senate Bill No. 20 was passed.

Mr. Lockwood moved to lay the above notice on the table.

Carried.

Senate Bill No. 114—An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one.

Mr. McClinton moved to refer to a special committee of one, with instructions to insert after the word "accordingly," in line twenty-seven of section seventeen, the words "*provided*, that upon conclusive evidence that such person has been entirely cured of his insanity, the Legislature may, by concurrent resolution, release such person;" and in line ten to strike out the word "incurable."

Carried.

Mr. McClinton, as such committee, reported amendments made as per instructions.

Mr. McClinton moved to refer to a special committee of one, with instructions to strike out in section twenty the word "no" and insert the words "not more than six."

Carried.

Mr. McClinton appointed as such committee, who reported the amendment made as per instructions.

Mr. Hazlett moved that the bill be referred to a special committee of one, with instructions to strike out, in section seventeen, "by legislative concurrent resolution," and insert "by unanimous order of the Supreme Court."

Carried.

Mr. McClinton, as such committee, reported the amendment made as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, Phelan, Small, Stevenson, Thompson, and Walter—21.

NAYS—None.

REPORT OF COMMITTEE (by leave).

MR. PRESIDENT: Your Committee on Ways and Means, to which was referred Senate Bill No. 84—entitled "An Act for the relief of White Pine County"—have had the same under consideration, and directed their Chairman to report the same back without recommendation.

J. C. HAZLETT, Chairman.

Bill ordered engrossed.

Roll called on the final passage of Senate Bill No. 225, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, and Walter—18.

NAYS—Messrs. Cleveland, Eastman, Stevenson, and Thompson—4.

Mr. Moore gave notice that he would offer a resolution, on to-morrow, changing the hour of meeting.

Mr. Cassidy moved to adjourn.

Carried.

So, at eleven o'clock P. M. the Senate adjourned.

Approved:

ISRAEL CRAWFORD,

President pro tem.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FIFTY-EIGHTH DAY.

CARSON CITY, March 4th, 1873.

Senate met pursuant to adjournment.

President pro tem. in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—23.

Absent, on leave—Mr. Wilson—1.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. PRESIDENT: Your Standing Committee on Claims, to which was referred the claim of T. D. Edwards, for rent of room for Engrossing Clerk, report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, with the accompanying resolution, directing the payment of the same:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to draw his warrant in favor of T. D. Edwards, for the sum of thirty-five dollars, to be paid out of the Contingent Fund of the Senate.

JAMES PHELAN, Chairman.

On motion, resolution adopted.

Mr. PRESIDENT: Your Committee on Claims having had under consideration certain claims against the State, beg leave to submit the following report:

These several claims were before the committee at the last session of the Legislature, and fully considered, and allowed for amounts which your committee deemed to be equitable and just; but owing to the fact that said amounts were not paid until one year subsequent to the adjournment of the Legislature, your committee concluded to allow interest at ten per cent. per annum on the claims so audited and allowed two years ago.

Your committee, after careful investigation, fully sustain the decisions of the former Committee on Claims, and no more, in full payment for interest due.

	Amount of Claims.	Interest allowed.
C. B. Luce.....	\$105 00	\$10 50
C. M. Noteware.....	51 00	5 10
M. Rinckle.....	4,485 21	448 50
W. D. Torreyson.....	150 00	15 00
A. H. Davis & Son.....	75 00	7 50
John Burgoyne.....	722 50	72 25
Warren Wassen.....	275 00	27 50
Koppel & Platt.....	642 00	64 20
J. Rosenstock.....	1,000 00	100 00
A. B. Drisbach.....	1,200 00	120 00

The following claims were allowed in full:

B. H. Meder	\$241 59
Richard Mills.....	17 50
A. W. Pray	20 69

The claim of Samuel Hodgkins, for one hundred and forty dollars, was rejected by the committee on the ground of not being legally employed.

The claim of Benj. Edsen, for seventy-five dollars, was rejected by the committee on the ground that the service was unauthorized.

JAMES PHELAN, Chairman.

Mr. PRESIDENT: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 91—entitled “An Act authorizing the State Treasurer to return certain vouchers to the Controller, and receive credits for the same”—have had the same under consideration, have come to a favorable conclusion thereon, and directed their Chairman to report the same back, and recommend that it do pass.

J. C. HAZLETT, Chairman.

REPORT OF SPECIAL COMMITTEE.

Mr. PRESIDENT: Your committee appointed to visit the Bowers Mansion, and report as to the propriety of the State purchasing the same for an insane asylum, have visited the place, with a like committee, appointed from the Assembly for the same purpose, beg leave to submit the following report and recommendations:

To the honorable the Legislature of the State of Nevada:

Your joint committee, to whom was assigned the duty of visiting and reporting upon the place and property known as the Bowers Mansion, would respectfully report:

That they performed the duty assigned them, and found the place admirably located about the center of Washoe Valley, under a spur of the Sierra Nevada mountains; the farm or tract of land containing one hundred and sixty acres, one hundred and twenty of which is amongst the finest bottom lands of Washoe County, if not the State.

The house is situated immediately under a bluff of the mountain, about one mile distant from Franktown, the same from the Virginia and Truckee Railroad; thus being advantageously situated for access in the conveyance of patients and visitors.

The dwelling is of itself one of, if not the finest, in the State—built of dressed granite—containing sixteen rooms; which can, for the purposes of an asylum, be divided into about twenty-five rooms of suitable dimensions for the purposes required, which number can be increased by the addition of another story on both the main building and adjoining wings, in accordance with the original idea of the architect, thereby increasing the capacity at least one third; which, with the present out-buildings, can be made to contain all the present and prospective inmates

for some time to come. The present dwelling is furnished in good style, and would, so far as the furniture goes, all be required in the institution. The dwelling and bath house are supplied with both hot and cold water, from springs upon the premises.

The garden and lawn are laid out and planted with numerous varieties of ornamental plants, shrubs, and fruit trees, many of which are in bearing; besides which, there is a grove of native pines, adding much to the beauty, appearance, and comfort of the place, as do the miniature lakes, islands, etc. In connection with the garden and lawn there is a fine green house, well filled with tropical and exotic plants and shrubs.

The library contains five hundred volumes of very choicely selected and costly books. The hall and other walls are covered with costly paintings and lithographs, besides which we found many other articles of necessity and luxury. There is a fine cellar under the dwelling, of sufficient capacity for all wants of such an institution.

The price at which the property above described can be procured for, is thirty thousand dollars; or, with a reservation by the owner of the furniture of three rooms, viz: back parlor, billiard-room, and one bedroom, twenty-eight thousand dollars; or the grounds and house, without furniture, twenty thousand dollars.

Your committee do not feel authorized to make a recommendation, further than to say that they think the patients can be cared for there at a less expense to the State than in California, taking into consideration the expense of transportation and other incidentals. That the price asked is less than adjacent property is and has been selling for; and if, in the opinion of the Legislature, the removal of the insane from California is desirable, this property offers advantages superior to any other known—the farm being able to furnish all vegetables, forage, etc., for an asylum of from fifty to sixty patients.

JAMES W. SMALL,
D. P. WALTER,
WILLIAM THOMPSON,
Senate Committee.

JAMES CRAWFORD,
W. E. PRICE,
Assembly Committee.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 92—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November sixth, eighteen hundred and sixty-one;

Also, Senate Bill No. 124—An Act of the Governor and Legislative Assembly of the Territory of Nevada, entitled "An Act relating to Sheriffs," approved November twenty-eighth, eighteen hundred and sixty-one;

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

Also, Senate Concurrent Resolution No. 139—Relative to the payment of Emanuel Penrod—has been this day deposited with the Secretary of State.

A. J. LOCKWOOD, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, March 3d, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Senate Bill No. 94—"An Act providing for the appointment and payment of an agent or agents at Washington, D. C., for attending to the certification of lands granted by Congress to the State of Nevada."

Senate Bill No. 137—"An Act to amend an Act entitled "An Act relative to attorneys and counselors at law," approved March fourth, eighteen hundred and seventy-one.

Senate Bill No. 152—"An Act to provide for the payment of the claim of Calvin Swift."

Senate Bill No. 227—"An Act to provide for the support and maintenance of the public schools of Eureka County."

L. R. BRADLEY.

MOTIONS AND RESOLUTIONS.

By Mr. McClinton:

Resolved, That in considering bills on the General File, Senate bills shall be first considered.

Lost.

Mr. Stevenson, in accordance with previous notice, moved that the vote whereby the resolution discharging the clerk of the Committee on Compilation of Laws was adopted, be reconsidered.

Carried.

By Mr. Phelan:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate, in favor of Samuel Hyatt, for the sum of three hundred dollars, for labor performed in drawing up the Report of the Warden of the State Prison.

Mr. Lockwood moved to amend by inserting "one hundred and fifty" in lieu of "three hundred dollars."

Resolution adopted as amended.

Mr. Cleveland moved to take from the table Senate Bill No. 83—"An Act to extend and change the southern boundaries of White Pine County."

Lost.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, March 3d, 1873. }

To the honorable the Senate:

I have the honor to return to your honorable body Senate Bill No. 159—entitled "An Act amendatory of an Act entitled an Act to provide for the maintenance and supervision of public schools, approved March

twentieth, eighteen hundred and sixty-five, and of Acts amendatory thereof"—which passed the House this day, with amendments embodied, by the following vote: Yeas, 39; nays, 8.

Also, to transmit for the consideration of your honorable body, Assembly Bill No. 105—entitled "An Act to grant the right of way to J. E. Rooker, A. A. Curtis, M. A. Sawtelle, their associates and assigns, to build and maintain a railroad from the Central Pacific Railroad to the City of Austin"—which passed the Assembly: Yeas, 29; nays, none.

Also, Assembly Bill No. 58—entitled An Act defining the rights of husband and wife—which passed the Assembly: Yeas, 40; nays, 4.

Also, to return to your honorable body Substitute Senate Bill No. 39—An Act concerning juries—which was amended by adding the words "at the rate of two dollars per day," to the end of section eleven, and then passed: Yeas, 32; nays, 14.

Also, Senate Bill No. 213—An Act to amend an Act entitled "An Act to authorize the Commissioners of Ormsby County to issue to the Virginia and Truckee Railroad Company, bonds to the amount of two hundred thousand dollars, and to provide for the payment of the same," approved January twenty-seventh, eighteen hundred and sixty-nine—which passed the Assembly: Yeas, 39; nays, 2.

Also, Substitute Senate Concurrent Resolution No. 47—Relative to Central Pacific Railroad Company obtaining patents to lands—which passed the Assembly: Yeas, 38; nays, 2.

Also, Senate Bill No. 158—"An Act to provide for the selection and sale of lands that have or may hereafter be granted by the United States to the State of Nevada"—which passed the Assembly: Yeas, 44; nays, none.

Also, transmit for your consideration Assembly Bill No. 109—An Act to grant the right of way and authorize certain persons herein named, to construct a railroad from the line of the Central Pacific Railroad to the Colorado River—which passed the Assembly: Yeas, 40; nays, 3.

Also, Assembly Bill No. 97—An Act to authorize the County Commissioners of Storey County to issue bonds for school purposes in the Virginia and Gold Hill school districts, and to provide for the payment of the same—which passed the House this day: Yeas, 30; nays, 8.

I also inform your honorable body that the amendments to Assembly Bill No. 37 were concurred in by the following vote: Yeas, 40; nays, 2.

Also, An Act supplementary to an Act entitled "An Act to abolish the use of State stamps, and to provide for the settlement of outstanding stamps," approved February twenty-first, eighteen hundred and seventy-three—which passed the Assembly: Yeas, 39; nays, none.

Also, return Senate Bill No. 245—An Act to provide funds for the payment of the current expenses of Eureka County—which passed the Assembly: Yeas, 41; nays, none.

Also, Senate Bill No. 237—An Act relative to the salary of the Judge of the Seventh Judicial District—which passed the Assembly: Yeas, 42; nays, none.

Also, return to your honorable body Senate Bill No. 32—entitled An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine—the same having passed the House this day with the following amendments: In section one the following: "The County of Nye shall pay twenty-two hundred dollars and the County of Churchill fourteen hundred dollars." Also, in eighteenth line, after the word "district," strike out the word "seven" and insert the word "five." Also,

in same line, after the word "year," insert the words "from and after the first day of January, A. D. eighteen hundred and seventy-five:" Yeas, 35; nays, 5.

Also, Senate Bill No. 124—entitled An Act to amend an Act of the Governor and Legislative Assembly of the Territory of Nevada, entitled "An Act relating to Sheriffs," approved November twenty-eighth, eighteen hundred and sixty-one—the same having passed the House this day: Yeas, 43; nays, none.

Also, Senate Bill No. 92—entitled An Act to amend an Act concerning crimes and punishments, approved November twenty-sixth, eighteen hundred and sixty-one—which passed the House this day by the following vote: Yeas, 42; nays, none.

Also, to return to your honorable body Senate Bill No. 68—entitled An Act making appropriation for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years—the House refusing to recede from their amendments, and have appointed Messrs. Cole, Morrison, and Hoppin as a committee of conference, and ask your honorable body to appoint a like committee.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

Mr. Moore, in accordance with previous notice, moved to amend Senate Standing Rule No. 1, by striking out the word "eleven" and insert "ten" before "o'clock."

Lost.

REPORT (on leave).

Mr. PRESIDENT: The minority of the committee to which was referred Assembly Bill No. 105—entitled An Act to establish the boundary line between Humboldt and Lander Counties—begs leave to respectfully submit the following report:

The line proposed in the bill under consideration, takes from the County of Humboldt a large portion of territory, in which is included the Towns of Battle Mountain and Galena, thereby depriving said county of a great amount of taxable property and many of its most valuable citizens. The question of the segregation of Humboldt County was made an open issue before the people at the last election, and negatived by an overwhelming popular vote. Within two years past the boundary line between the aforesaid counties was surveyed and established in accordance with law and in a manner satisfactory to both counties.

The minority fails to recognize the force of the argument advanced by the movers of this bill, *i. e.*, that, as Lander County has chosen to be divided, it should receive a portion of the territory belonging to an adjoining county.

The minority of the committee therefore reports the bill back to the Senate with the recommendation that it do not pass.

C. S. VARIAN.

Mr. Moore moved to suspend the rules, and that the Senate proceed to consider the General File.

Carried.

The President appointed the following named Senators as committee of conference, on part of the Senate, on Senate Bill No. 68: Messrs. Hazlett, Eastman, and McBeth.

GENERAL FILE.

Assembly Bill No. 66—An Act relating to elections.
Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—21.
NAYS—None.

Mr. Phelan moved to take a recess until two o'clock P. M.
Carried.
Senate met at two o'clock P. M.
The President pro tem. in the chair.
Roll called.
Quorum present.

COMMUNICATION FROM THE SECRETARY OF STATE.

STATE OF NEVADA, OFFICE OF SECRETARY OF STATE, }
CARSON CITY, March 4th, 1873. }

To the honorable the Senate:

I have the honor to transmit herewith the claim of W. F. Wilson, for losses sustained through the escape of convicts from State Prison in September, eighteen hundred and seventy-one, amounting to nine hundred and twelve dollars.

By order of the Board of Examiners.

J. D. MINOR, Secretary.

Referred to Committee on Claims.

Mr. Moore moved to reconsider the vote by which the rules were suspended this morning, and to take up the regular order of business.
Carried.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 229—entitled An Act to provide for the publication of the session laws of eighteen hundred and seventy-three;

Also, Senate Bill No. 230—An Act to define the duties of the Lieutenant Governor, and to fix his compensation therefor;

Also, Senate Bill No. 246—An Act to grant the right of way to T. N. Browne and his associates to build and maintain a narrow gauge railroad through the Counties of Elko, White Pine, Nye, and Lincoln;

Also, Senate Bill No. 255—An Act to provide for the allotment of Senators of the State of Nevada;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBERT McBETH,
Committee.

COMMUNICATION FROM STATE LIBRARIAN.

To the President of the Senate:

In compliance with the provisions of Rule III, as established by the Board of Directors of the Nevada State Library, for the government of the same, I herewith transmit a list of books issued to and not returned by members of your honorable body, as follows:

Mr. Cassidy—Senate Journal, fifth session; Statutes 1869, 1871; Froude's History of England, volume one; Don Quixote; Heart of Mid Lothian.

Mr. Cleveland—Senate Journals, first and fifth sessions; Statutes 1866, 1869; Poulterer's Companion.

Mr. Davenport—Statutes 1866.

Mr. Eastman—Statutes 1861, 1864-5, 1866, 1867, 1869, and 1871 (two copies); Senate Journal, fifth session.

Mr. Hazlett—Senate Journal, fifth session; Statutes 1864-5, 1869.

Mr. Lockwood—Statutes 1871; Travels in Alaska.

Mr. McCoy—Senate Journal, fifth session (two copies); Statutes 1864-5 (two copies), 1866, 1867 (two copies), 1869 (two copies), 1871 (two copies); volume five Nevada Reports; Froude's History of England, volume two; Scott's Poetical Works.

Mr. Mills—Statutes 1864-5, 1866, 1869 (two copies), 1871.

Mr. Moore—Statutes 1869.

Mr. Phelan—Statutes 1864-5, 1871.

Mr. Thompson—Statutes 1864-5, 1866, 1867, 1869, 1871; Senate Journal, fifth session.

Mr. Varian—Statutes 1861, 1864-5, 1866, 1867, 1869, 1871.

Mr. Walter—Senate Journal, fourth session; Statutes 1864-5, 1866, 1867, 1869, 1871.

Mr. President—Senate Journal, fifth session; Assembly Journal, fifth session; Statutes 1869.

Mr. Secretary—Life of Queen Elizabeth; History of Cleopatra.

Mr. B. E. Burns—Statutes 1869.

I have the honor to be, etc.,

J. D. MINOR,

Secretary of State.

By T. COFFIN, Clerk in Library.

Senate Bill No. 247—An Act entitled "An Act to prohibit gaming."

Mr. Varian moved that the rules be suspended; the bill considered engrossed, and placed on its third reading and final passage.

Lost.

Mr. Varian moved that the bill be placed on its second reading.

Carried.

Mr. McClinton moved that the reading had be considered the second reading of the bill, and that it be ordered engrossed.

Mr. Varian moved a call of the Senate.

Carried.

Roll called; all present except Messrs. Hazlett, Mills, and Walter—3.

Mr. Stevenson moved that further proceedings under the call be dispensed with.

Carried.

Mr. McBeth moved that the bill be indefinitely postponed.

On which, the yeas and nays were called for by Messrs. Varian, Lockwood, and Cleveland, and motion lost by the following vote:

YEAS—Messrs. Cassidy, Clapp, Crawford, Fox, Hazlett, Hill, Lockwood, McBeth, Phelan, and Small—10.

NAYS—Messrs. Campbell, Cleveland, Davenport, Eastman, Hobart, McClinton, Moore, Stevenson, Thompson, Varian, and Wilson—11.

The question being on the engrossment of Senate Bill No. 247, the motion was lost.

INTRODUCTION OF BILLS.

Mr. Phelan, from Committee on Claims, introduced Senate Bill No. ———An Act to provide for the payment of certain claims against the State.

Read first time.

Mr. Phelan moved that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

Mr. McBeth, without previous notice, introduced Senate Bill No. ———An Act to grant the right of way to build and maintain a narrow gauge railroad through Elko County.

Read first time.

Mr. McBeth moved that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. Small gave notice that he would, on to-morrow, move a reconsideration of vote by which Senate Bill No. 247 was ordered engrossed.

REPORT (by leave).

Mr. PRESIDENT: Your special committee to whom was referred Assembly Bill No. 83—An Act to encourage the construction of a railroad from Reno to Susanville—report that they have had the same under consideration; have come to a favorable conclusion thereon; return the same to the Senate, with an amendment, and recommend the passage of the bill as amended.

C. H. EASTMAN,
WILLIAM THOMPSON.

Assembly Bill No. 58—An Act entitled An Act defining the rights of husbands and wives.

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and placed on the General File.

Carried.

Assembly Bill No. 97—An Act to authorize the County Commissioners of Storey County to issue bonds for school purposes, in the Virginia and Gold Hill School Districts, and to provide for the payment of the same.

Mr. Varian moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Storey County delegation.

Carried.

GENERAL FILE.

Senate Bill No. 244—An Act to amend an Act entitled "An Act to restrict gaming."

Mr. Varian moved to refer to special committee of one, with instructions to insert after the word "keno," in line eight, section one, the words "tan-fan, and all other Chinese games of chance."

Carried.

Mr. Varian, as such committee, reported the amendment made as per instructions.

Mr. Mills moved to refer to a special committee of one, with instructions to insert in section one, after the word "banking," the words "or percentage."

Mr. Mills, as such committee, reported the amendment made as per instructions.

Mr. Lockwood moved to refer to a special committee of one, with instructions to insert in section three "license shall not be granted for less than three months."

Carried.

Mr. Lockwood, as such committee, reported the amendment made as per instructions.

Mr. Cleveland moved to refer to a special committee of one, with instructions to strike out the words "six hundred," and insert "one thousand."

Lost.

Mr. Davenport moved to refer to a special committee of one, with instructions to insert a new section, to be called section four.

Lost.

Mr. Cassidy moved to refer to a special committee of one, with instructions to insert the following: "Section four. All banking or percentage games shall be closed at six o'clock A. M. on Sunday, and remain closed to the same hour the following day."

Carried.

Mr. Cassidy, as such committee, reported the amendment made as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Phelan, Small, Stevenson, Varian, and Walter—17.

NAYS—Messrs. Cleveland, Eastman, Moore, McBeth, and Thompson—5.

Senate Bill No 162—An Act regulating the mortgage of personal property.

Mr. Mills asked leave of absence until seven o'clock P. M.

Leave granted.

Mr. Phelan asked leave of absence during the evening.

Leave granted.

Roll called on the passage of Senate Bill No. 162; bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Moore, McBeth, Small, Stevenson, Thompson, and Varian—18.

NAYS—None.

Senate Bill No. 85—An Act for the relief of T. W. Triplett, late Assessor of Lander County—taken up, on motion of Mr. Cassidy.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, McBeth, Small, Stevenson, Thompson, and Varian—18.

NAYS—None.

Senate Bill No. 93—An Act entitled "An Act in relation to public highways."

On motion, the amendments recommended by the Assembly were concurred in.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Moore, McBeth, Small, Stevenson, Thompson, and Varian—19.

NAYS—None.

Mr. Cassidy, by leave, and without previous notice, introduced Senate Bill No. 260—An Act to encourage the construction of a railroad from a point in Huntingdon Valley to the Town of Eureka.

Mr. Cassidy moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

REPORT FROM COMMITTEE ON CLAIMS (by leave).

Mr. PRESIDENT: Your Standing Committee on Claims, to which was referred Senate Bill No. 219—An Act for the relief of W. F. Wilson—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend that it be referred to the Committee of the Whole.

Mr. Phelan moved that the claim referred to in the above report be referred to Committee of the Whole.

Carried.

Senate Bill No. 109—An Act to provide for the erection of a State Prison—reported back from Committee of the Whole, with amendments.

Amendments concurred in, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, McClinton, Moore, Phelan, Small, Stevenson, Thompson, and Walter—16.

NAY—Mr. Lockwood—1.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 84—entitled An Act for the relief of White Pine County—with the original copy thereof, and find it correctly engrossed.

THEO. S. DAVENPORT,
ROBERT McBETH,
Committee.

Substitute for Senate Bill No. 191—An Act to redistrict the State of Nevada—taken up, on motion of Mr. McClinton.

On motion, ordered engrossed.

Senate Bill No. 122—An Act to establish a commission for the revision of the laws—taken up, on motion of Mr. Phelan.

Mr. Phelan moved that the rules be suspended; the bill considered engrossed, and placed on its third reading and final passage.

Mr. Varian moved, as an amendment, that the bill be ordered engrossed.
Lost.

Mr. McCoy, by leave, and without previous notice, introduced Senate Bill No. 261—An Act to define and establish the boundary lines of Eureka County.

The question being on the motion of Mr. Phelan, in reference to Senate Bill No. 122, the motion was put and lost.

Mr. McClinton moved a reconsideration of the vote whereby the Senate refused to order the above bill to engrossment.

Carried.

Mr. McClinton moved that the bill be ordered engrossed.

Carried.

Mr. Phelan moved to take a recess until seven o'clock P. M.

Carried.

Senate met at seven o'clock P. M.

President pro tem. in the chair.

Roll called.

Quorum present.

Senate Bill No. 160—An Act relative to the duties of the Secretary of State.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, Moore, McBeth, Small, Stevenson, Thompson, and Walter—18.

NAYS—None.

Mr. Stevenson moved that the Senate now proceed to consider all bills now on General File not engrossed.

Carried.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Substitute for Senate Bill No. 191—An Act to redistrict the State of Nevada—with the original copy thereof, and find it correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,
Committee.

Senate Bill No. 208—An Act to create a State University, and provide for the control and management of the same.

Mr. Moore moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 211—An Act to tax dogs.

Mr. McBeth moved that the bill be ordered engrossed.

Carried.

Senate Bill No. 202—An Act to provide for the publication of the general laws of this State in force at the expiration of the sixth session of the Legislature.

On motion, indefinitely postponed.

Senate Bill No. 138—An Act to consolidate the offices of Lieutenant Governor and State Librarian.

On motion, indefinitely postponed.

Senate Bill No. 215—An Act to secure photographs of State Prison convicts.

On motion, ordered engrossed.

Carried.

Senate Bill No. 216—An Act to secure Nevada's quota of the funds for the National centennial celebration of the independence of the United States of America.

On motion, ordered engrossed.

Senate Bill No. 218—An Act to provide for the settlement of the title to the State Prison lands, and for other purposes in relation thereto.

Mr. Cleveland moved to amend by laying on the table.

Carried.

Senate Bill No. 236—An Act to provide for the settlement of claims for damages for killing or maiming domestic animals within this State.

On motion, ordered engrossed.

Senate Bill No. 220—An Act to equalize representation in the Legislature of Nevada.

On motion, laid on the table.

Senate Bill No. 231—An Act for the relief of S. H. Marlette.

On motion, ordered engrossed.

Senate Bill No. 238—An Act for the relief of A. D. Treadway.

On motion, ordered engrossed.

MR. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 122—entitled An Act establishing a commission for the revision of the laws—with the original copy thereof, and find it correctly engrossed.

THEO. S. DAVENPORT,
ROBT. McBETH,
Committee.

REPORT OF COMMITTEE (on leave).

Messrs. Mills and Cleveland, from the select committee to which was referred Assembly Bill No. 72—An Act to consolidate and fund the indebtedness of White Pine County—report that they have come to a favorable conclusion thereon, and recommend its passage.

MR. PRESIDENT: Your committee, consisting of the Lyon County delegation, to which was referred Assembly Bill No. 108—An Act to amend an Act entitled "An Act for the purpose of placing the

finances of Lyon County upon a permanent cash basis, and to provide for the payment of the outstanding indebtedness of said county," approved February fourth, eighteen hundred and sixty-nine—have considered the same, and report it back with the accompanying amendment, and recommend its passage as amended.

J. C. HAZLETT,
THEO. S. DAVENPORT.

Senate Bill No. 123—An Act to amend "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March ninth, eighteen hundred and sixty-five—taken up, on motion of Mr. Stevenson.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—19.

NAYS—None.

Substitute for Assembly Bill No. 198—An Act to define and establish the boundary line between Humboldt and Lander Counties—taken up, on motion of Mr. Cassidy.

Mr. Cassidy moved a call of the Senate.

Carried.

Roll called; all present except Messrs. Hazlett and Hill.

Mr. Varian moved that further proceedings under the call be dispensed with.

Carried.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Hazlett, Lockwood, McCoy, McClinton, Mills, McBeth, Phelan, Small, and Walter—15.

NAYS—Messrs. Davenport, Fox, Hill, Hobart, Moore, Stevenson, Thompson, and Varian—8.

Senate Bill No. 39—An Act concerning juries.

On motion, amendments made by Assembly were concurred in.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Walter—20.

NAYS—None.

Senate Bill No. 191—"An Act to redistrict the State of Nevada."

Mr. Eastman moved to refer to a special committee of one, with instructions to fill blanks in the bill.

Carried.

Mr. Eastman, as such committee, reported the work performed as per instructions.

Mr. McClinton moved to refer to a special committee of one, with instructions to fill other blanks in the bill.

Carried.

Mr. McClinton, as such committee, reported the work performed as per instructions.

Mr. Moore moved that the Secretary be authorized to fill a blank.

Carried.

Mr. Hazlett moved to refer the bill to a special committee of one, with instructions to further amend the bill.

Carried.

Mr. Hazlett, as such committee, reported bill amended as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—21.

NAYS—None.

Senate Bill No. 122—"An Act establishing a commission for the revision of the laws"—taken up, on motion of Mr. Phelan.

Roll called, and bill defeated by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Moore, and Phelan—5.

NAYS—Messrs. Crawford, Davenport, Eastman, Hazlett, Hobart, McClinton, Mills, McBeth, Small, Stevenson, Thompson, Varian, and Walter—13.

Mr. Clapp asked leave of absence for remainder of the evening.

Leave granted.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 103—An Act to provide for the transportation of convicts and insane persons;

Also, Senate Bill No. 208—An Act to locate the State University and to provide for the control and maintenance of the same;

With the original copies, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBT. MCBETH,
Committee.

Senate Bill No. 208—An Act to locate the State University, and to provide for the control and maintenance of the same—taken up, on motion of Mr. Moore.

Mr. Thompson moved to refer to a special committee of one, with instructions to strike out "Elko" and insert "Reno."

Mr. McBeth moved to amend by inserting "Winnemucca."

Lost.

The question recurring on the motion of Mr. Thompson, to insert "Reno," was lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McCoy, McClinton, Mills, Moore, McBeth, Stevenson, Thompson, Varian, and Walter—20.

NAYS—Messrs. Campbell, Phelan, and Small—3.

Mr. Phelan moved that the Senate go into Committee of the Whole, for the purpose of considering bills referred thereto.

Carried.

Mr. Stevenson in the chair.

In time, the committee rose, and presented the following report:

Mr. PRESIDENT: Your committee have had under consideration Senate Bill No. 219, which they report back, with the recommendation that it do pass.

Also, Senate Bill No. 226, which they report without recommendation.

Also, Senate Bill No. 256, which they report back without recommendation.

Also, Senate Bill No. 219, which they report back without recommendation.

Also, claim of O. H. Parker, which they report back without recommendation.

Also, claim of Edward Luban, which they report back without recommendation.

Also, claim of Ormsby County, which they report back without recommendation.

Assembly Bill No. 38—An Act for the relief of E. Perasich.

Mr. Phelan moved a call of the Senate.

Roll called; all present except Messrs. McClinton and Varian.

Mr. Phelan moved that further proceedings under the call be dispensed with.

Carried.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Walter—18.

NAYS—None.

Senate Bill No. 95—An Act to supply the Town of Elko, in Elko County, with water for extinguishment of fire and other purposes, and to define the boundaries of said town—taken up, on motion of Mr. Moore.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—19.

NAYS—None.

Senate Bill No. 155—An Act to provide for an insane asylum.

Taken up, on motion of Mr. Thompson.

Mr. Thompson moved to refer to Committee of the Whole.

Mr. Lockwood moved to amend by indefinitely postponing the bill.

Lost.

Mr. Phelan moved to adjourn.

Lost.

Mr. Varian moved a call of the Senate.

Lost.

Question recurring on Mr. Thompson's motion to refer to Committee of the Whole, was lost.

Mr. Moore moved to indefinitely postpone.

Mr. Stevenson moved to lay on the table.

Lost, and bill indefinitely postponed.

Mr. McBeth gave notice that he would, on to-morrow, move a reconsideration of the vote whereby Senate Bill No. 122 was lost.

Senate Bill No. 171—An Act to provide for the normal instruction of persons intending professional teaching in Nevada—taken up, on motion of Mr. Stevenson.

Read third time, and lost by the following vote:

YEAS—Messrs. Cleveland, Crawford, Davenport, Eastman, Hazlett, Hobart, McClinton, Moore, Small, Stevenson, and Thompson—11.

NAYS—Messrs. Campbell, Cassidy, Fox, Hill, and Lockwood—5.

Mr. Lockwood gave notice that he would, on to-morrow, move a reconsideration of the vote whereby the above bill was lost.

Mr. Thompson moved to adjourn.

Carried.

So, at ten o'clock and thirty minutes P. M., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—FIFTY-NINTH DAY.

CARSON CITY, March 5th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hill, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—20.

Absent—Messrs. Cleveland, Hazlett, McCoy, and Wilson—4.

Prayer by the Chaplain, Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORT OF STANDING COMMITTEE.

Mr. PRESIDENT: Your Committee on Supplies and Expenditures have had under consideration the following named bills, to wit:

Bill of J. Tobriner, for articles furnished to the Sergeant-at-Arms	\$7 63
Bill of O. P. Willis.....	2 00
Bill of Maxim Gas Company.....	84 00
Bill of E. B. Rail.....	10 37
Bill of E. B. Scott.....	6 00
Bill of E. D. Sweeney.....	110 00
Bill of A. K. Lamb.....	1,100 50
The bill of A. K. Lamb is made up of these items:	
For stationery furnished Secretary's desk.....	254 25
For stationery furnished Engrossing Clerk.....	193 00
For stationery furnished committee clerks.....	454 65
For supplies furnished Sergeant-at-Arms.....	198 60
The charge of \$454 65 for stationery furnished to committee clerks is made up as follows:	
Supplies furnished clerk Committee on Corporations.....	39 00
Supplies furnished clerk Committee on Mines and Mining...	43 25
Supplies furnished clerk Committee on Public Lands.....	11 50
Supplies furnished clerk Committee on Railroads and Internal Improvements.....	38 25
Supplies furnished clerk Judiciary Committee.....	64 50
Supplies furnished clerk Compilation of Laws Committee...	38 50
Supplies furnished clerk Ways and Means Committee.....	82 50
Supplies furnished clerk State Prison Committee.....	37 75
Supplies furnished clerk Claims Committee.....	48 50
Supplies furnished official reporters.....	51 00

The committee, in their investigations, find that it has been the custom of previous Legislatures to allow committee clerks to draw from the Sergeant-at-Arms whatever stationery they deemed proper. This custom seems to have been followed at the present session.

Your committee are of the opinion that this privilege has been grossly abused; that the amount of stationery drawn has, in several instances, been greatly in excess of the amount that could possibly have been used in transacting the business which legitimately came before these committees. The fact that this matter has been brought to our attention just at the close of the session, is the reason that the committee do not follow up the investigation and endeavor to devise some remedy for the evil which is here indicated. We trust that this report will have the effect of calling the attention of the next Legislature to the subject, and that early in the session this loose way of doing business may be guarded against.

The bill of E. D. Sweeney, for the sum of one hundred and twenty dollars, for water furnished the Senate for sixty days, and for which he allows a credit of ten dollars, which he has received, has been considered. On the first of February, his bill for furnishing water for thirty days—sixty dollars—was examined by your committee, and, believing the sum charged was exorbitant, we allowed the bill, after deducting therefrom the sum of fifty dollars. Believing that the amount then allowed was a liberal allowance for the amount of water used, we adopt the same rule in regard to this bill, and recommend that ten dollars be appropriated as full payment of the same.

The other bills enumerated above are for articles actually furnished, and we report a resolution covering all the bills as allowed by committee.

C. H. EASTMAN, Chairman.

Resolved, That the Sergeant-at-Arms is hereby authorized and directed to draw his check on the Contingent Fund of the Senate in favor of the following named persons, and for the several sums herein indicated:

J. Tobriner.....	\$7 63
O. P. Willis.....	2 00
Maxim Gas Company.....	84 00
E. B. Rail.....	10 37
E. B. Scott.....	6 00
E. D. Sweeney.....	10 00
A. K. Lamb.....	1,100 50

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, March 4th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Senate Bill No. 92—An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one.

Senate Bill No. 124—An Act to amend an Act of the Governor and Legislative Assembly of the Territory of Nevada, entitled "An Act relating to Sheriffs," approved November twenty-eighth, eighteen hundred and sixty-one.

Senate Bill No. 213—[An Act to amend an Act entitled] "An Act to authorize the Commissioners of Ormsby County to issue to the Virginia and Truckee Railroad Company, bonds to the amount of two hundred thousand dollars, and to provide for the payment of the same," approved February twenty-seventh, eighteen hundred and sixty-nine.

Senate Bill No. 237—"An Act relative to the salary of the Judge of the Seventh Judicial District."

Senate Bill No. 245—"An Act to provide funds for the payment of the current expenses of Eureka County."

L. R. BRADLEY.

By Mr. Phelan, from Committee on Claims, by leave: Senate Bill No. 262—"An Act for the relief of Mrs. Amanda M. Parker, widow of Ozro H. Parker."

Mr. Phelan moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 231—entitled "An Act for the relief of S. H. Marlette"—with the original copy thereof, and find it correctly engrossed.

THEO. S. DAVENPORT,
ROBERT MCBETH,
Committee.

Mr. PRESIDENT: Your conference committee appointed by the two Houses on Senate Bill No. 68, would report that they have agreed that the Assembly recede from all amendments to said bill in which the Senate refused to concur, except the one of striking out of lines from forty-five to fifty-six inclusive, and in which they recommend the concurrence of the Senate.

J. C. HAZLETT,
C. H. EASTMAN,
ROBERT MCBETH,
Senate Committee.

F. W. COLE,
GEO. H. MORRISON,
J. H. HOPPIN,
Assembly Committee.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 262—entitled An Act for the relief of Mrs. Amanda M. Parker, widow of Ozro H. Parker, deceased—with the original copy thereof, and find it correctly engrossed.

ISRAEL CRAWFORD, Chairman.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 158—An Act to provide for the selection and sale of lands that have or may hereafter be granted by the United States to the State of Nevada;

Also, Senate Bill No. 255—An Act to provide for the allotment of Senators of the State of Nevada;

Also, Senate Bill No. 245—An Act to provide funds for the payment of the current expenses of Eureka County;

Also, Senate Bill No. 213—An Act to amend an Act entitled "An Act to authorize the Commissioners of Ormsby County to issue to the Virginia and Truckee Railroad Company, bonds to the amount of two hundred thousand dollars, and to provide for the payment of the same," approved January twenty-seventh, eighteen hundred and sixty-nine;

Also, Senate Bill No. 237—An Act relative to the salary of the Judge of the Seventh Judicial District;

Also, Senate Bill No. 93—An Act in relation to public highways;

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

Also, that Senate Concurrent Resolution No. 47—Relative to Central Pacific Railroad Company obtaining patents to lands—has been carefully compared with the engrossed bill, found correctly enrolled, and has this day been deposited with the Secretary of State.

A. J. LOCKWOOD, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, March 5th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Senate Bill No. 93—An Act entitled "An Act in relation to public highways."

Senate Bill No. 158—"An Act to provide for the selection and sale of lands that have been or may hereafter be granted by the United States to the State of Nevada."

L. R. BRADLEY.

Mr. Stevenson, pursuant to previous notice, moved to reconsider the vote by which Senate Bill No. 171 was lost on yesterday.

Carried.

MOTIONS AND RESOLUTIONS.

By Mr. Phelan:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to draw his warrant in favor of T. V. Julien, for per diem accruing in the interim between the first day of the session and the date of his appointment as reporting clerk of the Senate—payable out of the Contingent Fund.

Adopted.

By Mr. Eastman: Senate Concurrent Resolution—Relative to mail service between Reno, Washoe County, Nevada, and Greenville, in Indian Valley, Plumas County, California.

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Walter—19.

NAYS—None.

By Mr. Mills:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to draw his warrant on the Contingent Fund of the Senate, in favor of Fred. H. Hart, for his per diem from the first day of the session up to the time of his appointment as reporting clerk.

Adopted.

By Mr. Hazlett:

Resolved, That the resolution dispensing with the services of the clerk of the Committee on Elections be reconsidered, and that he be reinstated into said clerkship, to take effect from the date of said resolution.

Adopted.

By Mr. Davenport:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate in favor of E. Emerson for the sum of ninety dollars, for services as Assistant Engrossing Clerk.

Adopted.

By Mr. Phelan:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to draw his warrant on the Contingent Fund for the sum of one hundred and fifty dollars, in favor of Edward Kieselee, for keeping the books and accounts of the Sergeant-at-Arms during the present session.

Adopted.

By Mr. Lockwood:

Resolved, That the Sergeant-at-Arms be instructed to draw his warrant on the Senate Contingent Fund in favor of the committee clerks from the time that their several committees were appointed.

By Mr. Cleveland, as a substitute:

Resolved, That the Senate will not hereafter entertain any motion or resolution to pay any committee clerk or any attaché of this Senate for any time previous to his or their appointment.

Mr. McBeth moved to lay the resolution and substitute on the table.
Carried.

By Mr. Hazlett: Senate Concurrent Resolution No. 264—Relative to franking books, reports, etc.

Roll called, and resolution adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, Lockwood, McClinton, Moore, Phelan, Small, Stevenson, Thompson, and Walter—18.

NAYS—Messrs. Hill, Mills, and Varian—3.

By Mr. Thompson:

Resolved, That the Sergeant-at-Arms is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in favor of Willie McDade for his per diem from the first day of the session to the date of his appointment.

Lost.

Mr. Phelan moved to proceed to consider the General File.

Carried.

GENERAL FILE.

Senate Bill No. 203—An Act to provide for the removal of the county seat of Esmeralda County.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Moore, McBeth, Small, Stevenson, Varian, and Walter—19.

NAYS—None.

Senate Bill No. 220—"An Act to equalize the representation in the Legislature of Nevada."

Mr. Mills moved to consider the bill engrossed, and place it on its third reading and final passage.

Lost.

On motion, ordered engrossed.

Mr. Cassidy moved to take up Senate Bill No. 261—An Act to define and establish the boundary line of Eureka County.

Lost.

Mr. Mills moved that no business shall be in order except bills on General File, until seven o'clock this evening.

Carried.

Senate Bill No. 68—An Act making appropriations for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years.

On motion, the amendments recommended by the committee of conference were adopted.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Walter—18.

NAYS—None.

Senate Bill No. 171—An Act to provide for the normal instruction of persons intending the profession of teaching in the State of Nevada.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, McClinton, Mills, Moore, Phelan, Small, Stevenson, Varian, and Walter—16.

NAYS—Messrs. Campbell, Fox, and McBeth—3.

Mr. Phelan moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President in the chair.

Roll called.

Quorum present.

MR. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 236—An Act to provide for the settlement of claims for damages for killing or maiming domestic animals within this State;

Also, Senate Bill No. 220—An Act to equalize representation in the Legislature of Nevada;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,
ROBT. MCBETH,
Committee.

Senate Bill No. 32—An Act to amend an Act entitled "An Act to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine.

On motion, the amendments made by the Assembly were concurred in. Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hill, McClinton, Mills, Moore, McBeth, Phelan, Stevenson, Thompson, and Walter—16.

NAYS—None.

Senate Bill No. 159—An Act amendatory of an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March twentieth, eighteen hundred and sixty-five, and of Acts amendatory thereof.

On motion, Assembly amendments were concurred in.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, Mills, Moore, McBeth, Phelan, Small, Stevenson, and Walter—18.

NAYS—None.

Assembly Bill No. 75—An Act to amend section twelve of an Act entitled "An Act to further amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" approved March first, eighteen hundred and sixty-six.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, Phelan, Stevenson, Varian, and Walter—19.

NAYS—None.

Senate Bill No. 90—An Act defining who are vagrants, and prescribing punishment for vagrancy.

Mr. Clapp moved to lay the bill on the table.

Carried.

Assembly Bill No. 44—An Act to amend an Act entitled "An Act to provide for the registration of the names of electors, and to prevent fraud at elections."

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—22.

NAYS—None.

Assembly Bill No. 42—An Act for the relief of the Imperial Silver Mining Company.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—22.

NAYS—None.

Assembly Bill No. 70—An Act to incorporate a State Agricultural Society, and to provide for the management thereof.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Varian—20.

NAYS—None.

Assembly Bill No. 76—An Act to amend section six of "An Act defining the duties of the State Treasurer," approved February second, eighteen hundred and sixty-nine.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hill, Hobart, Lockwood, McClinton, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—19.

NAYS—None.

Substitute for Assembly Bill No. 10—An Act to repeal an Act entitled "An Act providing for the better enforcement of the revenue laws of the State of Nevada."

On motion, indefinitely postponed.

Senate Bill No. 214—An Act authorizing the canceling of old unpaid warrants.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—18.

NAYS—None.

Assembly Bill No. 6—An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto.

On motion, indefinitely postponed.

Assembly Bill No. 54—An Act to appropriate money for certain claims against the State of Nevada.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Crawford, Davenport, Fox, Hazlett, Hill, Hobart, McClinton, Mills, Moore, Phelan, Small, Stevenson, Varian, and Walter—16.

NAYS—Messrs. Cassidy, Eastman, McBeth, and Thompson—4.

Assembly Bill No. 53—An Act to prohibit the sale of intoxicating drinks to minors.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, McClinton, Mills, Moore, Phelan, Small, Stevenson, Thompson, Varian, and Walter—19.

NAYS—None.

Assembly Bill No. 209—An Act relative to the treatment of the indigent sick of this State.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Small, Stevenson, Thompson, Varian, and Walter—19.

NAYS—None.

Senate Bill No. 174—An Act prescribing an additional penalty for the non-payment of taxes in certain cases after suit.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, McBeth, Phelan, Stevenson, Thompson, and Varian—18.

NAY—Mr. Moore—1.

Senate Bill No. 235—An Act to discourage quackery.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—19.

NAY—Mr. Hill—1.

Senate Bill No. 173—An Act to establish a portion of the western boundary line of the State of Nevada.

On motion, laid on the table.

Senate Bill No. 53—An Act to protect miners.

On motion, laid on the table.

Senate Bill No. 42—An Act to exempt the property of the Miners' Union of the State of Nevada from taxation.

Roll called, and bill lost by the following vote:

YEAS—Messrs. Campbell, Cassidy, Crawford, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Phelan, and Walter—12.

NAYS—Messrs. Mills, Moore, Small, Stevenson, Thompson, and Varian—6.

Assembly Bill No. 91—An Act authorizing the State Treasurer to return certain vouchers to the Controller and receive credit for the same.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Mills, Moore, Stevenson, Thompson, Varian, and Walter—17.

NAYS—None.

Senate Bill No. 73—An Act entitled "An Act to regulate the sale of poisonous drugs, medicines, and patent medicines."

On motion, laid on the table.

Assembly Memorial and Joint Resolution No. 21—Relative to military reservations in the State of Nevada.

Roll called, and passed by the following vote:

YEAS—Messrs. Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, Mills, Moore, McBeth, Stevenson, Thompson, Varian, and Walter—17.

NAYS—Messrs. Campbell and McClinton—2.

Assembly Bill No. 64—An Act for the more effectual prevention of cruelty to animals.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, McClinton, Mills, Moore, Stevenson, Thompson, and Walter—15.

NAYS—Messrs. Cleveland, Fox, Lockwood, McBeth, Phelan, Small, and Varian—7.

Assembly Bill No. 92—An Act concerning vagrants and vagrancy.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, McClinton, Mills, Moore, Small, Stevenson, Thompson, Varian, and Walter—17.

NAYS—None.

Assembly Bill No. 28—An Act for the construction of fences and the planting of trees at the State Orphans' Home.

On motion, referred to the Committee of the Whole.

Senate Bill No. 204—An Act to provide for the manner and mode of electing the County Commissioners of the several counties in this State.

Roll called, and defeated by the following vote:

YEAS—Messrs. Fox, Hazlett, Hill, McBeth, Small, Stevenson, Thompson, and Walter—8.

NAYS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Lockwood, Mills, Moore, and Varian—10.

Senate Bill No. 246—An Act to grant the right of way to T. N. Brown and his associates, to build and maintain a narrow gauge railroad through the Counties of Elko, White Pine, Nye, and Lincoln.

Mr. Moore moved to lay on the table.

Lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Mills, McBeth, Small, Stevenson, and Walter—15.

NAYS—Messrs. Moore and Varian—2.

Senate Bill No. 229—An Act to provide for the publication of the session laws of eighteen hundred and seventy-three.

Mr. McBeth moved to refer to a special committee of one, with instructions to strike out "Territorial Enterprise," and insert "Humboldt Register."

Mr. McBeth, as such committee, reported the amendment made as per instructions.

Mr. Moore moved to amend by striking out the enacting clause.

Carried.

Mr. Moore, as such committee, reported the amendment made as per instructions.

Mr. Varian moved to take a recess until seven o'clock P. M.

Carried.

Senate met at seven o'clock P. M.

President in the chair.

Roll called.

Quorum present.

Mr. Moore moved to consider General File until exhausted.

Carried.

Assembly Bill No. 58—An Act defining the rights of husband and wife.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hill, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Varian, and Walter—16.

NAYS—Messrs. Davenport, Hazlett, Hobart, Lockwood, Mills, and Thompson—6.

Senate Bill No. 167—"An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties, and to establish their pay."

Amendments recommended by the Assembly were concurred in, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Hill, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Varian, and Walter—19.

NAYS—None.

Assembly Bill No. 105—An Act to grant the right of way to J. E. Rooker, A. A. Curtis, M. A. Sawtelle, their associates and assigns, to build and maintain a railroad from the Central Pacific Railroad to the City of Austin.

Mr. Cassidy moved that the bill be referred to a special committee of one, with instructions to substitute a new section for section three.

Carried.

Mr. Cassidy, as such committee, reported the amendment made as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Cassidy, Clapp, Cleveland, Crawford, Eastman, Fox,

Hazlett, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—16.

NAYS—Messrs. Campbell, Hill, Lockwood, and Moore—4.

Senate Bill No. 103—An Act to provide for the transportation of convicts and insane persons.

Mr. McClinton moved to lay on the table.

Carried.

Assembly Bill No. No. 83—An Act to encourage the construction of a railroad from Reno to Susanville.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, McClinton, Mills, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—17.

NAYS—Messrs. Campbell, Hill, Lockwood, and Moore—4.

Assembly Bill No. 249—An Act to consolidate and fund the indebtedness of White Pine County.

Roll called; bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Eastman, Fox, Hazlett, Hill, Lockwood, McClinton, Moore, Phelan, Small, Stevenson, Thompson, Varian, and Walter—18.

NAY—Mr. Mills—1.

By Mr. Lockwood, on leave:

Resolved, That the Sergeant-at-Arms of the Senate be authorized and required to draw his warrant on the Contingent Fund of the Senate for five dollars in favor of Edward Kiesele, and for eight dollars in favor of Thomas Carson, for services in comparing enrolled bills.

Adopted.

By Mr. Cassidy, on leave:

Resolved, That the Sergeant-at-Arms be instructed to draw his warrant on the Contingent Fund of the Senate in favor of Israel Crawford for one hundred and twenty dollars, in payment of his per diem as President pro tem. of the Senate.

Adopted.

Assembly Bill No. 108—An Act to amend an Act entitled "An Act for the purpose of placing the finances of Lyon County upon a permanent cash basis, and to provide for the payment of the outstanding indebtedness of the said county."

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Davenport, Eastman, Fox, Hazlett, Hobart, McClinton, Mills, Moore, Phelan, Small, Stevenson, Varian, and Walter—16.

NAYS—None.

Senate Bill No. 262—An Act for the relief of Mrs. Amanda M. Parker, widow of Ozro H. Parker, deceased.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Hazlett, Hill, Hobart, Lockwood, McBeth, Phelan, Small, Stevenson, and Varian—14.

NAYS—Messrs. Eastman, Fox, McClinton, Mills, Moore, Thompson, and Walter—7.

Senate Bill No. 231—An Act for the relief of S. H. Marlette.

Mr. Eastman moved to refer to a special committee of one, with instructions to strike out the words "fourteen hundred" and insert "one thousand."

Carried.

Mr. Eastman, as such committee, reported the amendment made as per instructions.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McClinton, Moore, McBeth, Phelan, Stevenson, Thompson, Varian, and Walter—18.

NAYS—Messrs. Fox and Mills—2.

MR. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 216—entitled An Act to secure Nevada's quota of the funds for the National centennial celebration of the independence of the United States of America;

Also, Senate Bill No. 211—An Act to tax dogs;

Also, Senate Bill No. 238—An Act for the relief of A. D. Treadway;

With the original copies thereof, and find them correctly engrossed.

THEO. S. DAVENPORT,

ROBT. MCBETH,

Committee.

Mr. Thompson moved to adjourn.

Lost.

Senate Bill No. 236—"An Act to provide for the settlement of claims for damages for killing or maiming domestic animals within this State."

On motion, laid on the table.

Senate Bill No. 172—An Act to repeal an Act entitled "An Act to aid the Nevada Benevolent Association in providing means to erect an insane asylum."

Mr. Davenport moved to refer to a special committee of one, with instructions to insert "section two."

Carried.

Mr. Davenport, as such committee, reported the amendment made as per instructions.

Mr. Thompson moved to refer to a special committee of one, with instructions to insert, "*provided*, that no drawing shall take place until the sum of twenty-five thousand dollars is paid into the State Treasury."

Carried.

Mr. Thompson, as such committee, reported the amendment made as per instructions.

Mr. Lockwood moved a reconsideration of the vote whereby the amendment was adopted.

Carried.

Mr. Cassidy moved to refer to a special committee of one, with instructions to add, "*provided*, that the drawing shall take place within nine months after the passage of this Act," and strike out the amendment offered by Mr. Thompson.

Carried.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, and Walter—18.

NAYS—Messrs. Cleveland and Varian—2.

Mr. Hazlett, by unanimous consent, introduced Senate Bill No. 265—An Act supplementary to an Act entitled "An Act to create certain Legislative Funds," approved January fifteenth, eighteen hundred and seventy-three.

Mr. Hazlett moved that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

Mr. Eastman moved that the Senate resolve itself into Committee of the Whole, President pro tem. in the chair, for the consideration of Senate Bill No. 265.

Carried.

In time, the committee rose, and presented the following report:

Mr. PRESIDENT: Your committee have had under consideration Senate Bill No. 265, and report the bill back and recommend its passage.

Mr. Stevenson moved that the rules be suspended; the bill considered engrossed, and placed on its third reading and final passage.

Carried.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, and Walter—21.

NAYS—None.

Mr. Cleveland moved to adjourn.

Lost.

Senate Bill No. 220—"An Act to equalize representation in the Legislature of Nevada."

On motion, laid on the table.

Mr. Stevenson, by leave, introduced the following:

WHEREAS, John Wagner was duly elected by a majority of the legal voters of White Pine County, at the general election, A. D. eighteen hundred and seventy-three, Senator of the State of Nevada, for four years from and after the day of said general election; and, whereas, said Wagner has presented his credentials to this Senate, showing the fact of such election; and, whereas, in the Act creating the County of White Pine, no provision was made with reference to the allotment of Senators to be

chosen therefrom, nor with reference to the term such Senators should hold; therefore, in pursuance of an Act of the Legislature of the State, entitled "An Act to provide for the allotment of Senators of the State of Nevada," approved March fifth, eighteen hundred and seventy-three, be it

Resolved, That the Hon. A. C. Cleveland, and the Hon. Geo. F. Mills be required, under and in pursuance of the provisions of said Act, to draw lots, on the sixth day of March, A. D. eighteen hundred and seventy-three, at the hour of two p. m., to determine the question as to which of said Senators shall belong to Senators of the first class, and which one to Senators of the second class, as provided in said Act.

Resolved, That after said drawing, and after the question shall be thus determined, as to which class said Senators may respectively belong, the said John Wagner shall be admitted to his seat, upon the floor of this Senate, as one of the Senators representing White Pine County until the general election in the State of Nevada, A. D. eighteen hundred and seventy-six.

Mr. Cleveland rose to a point of order: that the whole subject matter was indefinitely postponed, early in the session.

Ruled well taken.

Mr. Varian moved to adjourn.

Carried.

So, at nine o'clock and fifty minutes p. m., the Senate adjourned.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,

Secretary of the Senate.

IN SENATE—SIXTIETH DAY.

CARSON CITY, March 6th, 1873.

Senate met pursuant to adjournment.

President in the chair.

Roll called: the following Senators present:

Messrs. Campbell, Clapp, Crawford, Davenport, Eastman, Fox, Hill, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—20.

Absent—Messrs. Cassidy, Cleveland, Hazlett, and McCoy—4.

Prayer by the Chaplain, the Rev. Mr. Allen.

Journal of yesterday read and approved.

REPORT OF STANDING COMMITTEE.

Mr. PRESIDENT: Your Committee on Ways and Means, to which was referred Senate Bill No. 192—entitled "An Act to encourage the production and manufacture of native iron in this State"—have had the same under consideration, and directed their Chairman to report the same back without recommendation.

J. C. HAZLETT, Chairman.

REPORT OF SPECIAL COMMITTEE.

Mr. PRESIDENT: Your special committee to which was referred Assembly Bill No. 97—report that they have had the same under consideration, have come to a favorable conclusion thereon, and have directed their Chairman to report the same to the Senate, and recommend its passage.

C. C. STEVENSON, Chairman.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, March 5th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved, and deposited in the office of the Secretary of State, the following bills:

Substitute for Senate Bill No. 39—"An Act concerning juries;"

Senate Bill No. 108—"An Act for the payment of the salaries of District Attorneys of this State."

L. R. BRADLEY.

MOTIONS AND RESOLUTIONS.

Resolved, That the Sergeant-at-Arms be and is hereby directed to ascertain the amount of furniture, desks, lamps, etc., now on hand in the Senate Chamber, Sergeant-at-Arms room, and the various committee rooms; collect the same which is in rooms outside the Capitol building, turn it over to the Secretary of State, taking his receipt therefor, and deposit the same with the Controller. For the above named services the Sergeant-at-Arms and his assistant shall be allowed their regular per diem for two days' extra service.

Adopted.

By Mr. Small:

Resolved, That James Sackett be and he is hereby allowed two dollars per day during the session, for hoisting the American flag upon the Capitol building, payable out of the Contingent Fund of the Senate.

Lost.

By Mr. Hazlett:

Resolved, That the Secretary of the Senate be allowed twenty days'

compensation after the adjournment of the Legislature, for completing Appendix to Senate Journal.

Adopted.

By Mr. Mills:

Resolved, by the Senate, the Assembly concurring, That both Houses of the Nevada Legislature adjourn *sine die* at ten o'clock P. M., this day, March sixth, A. D. eighteen hundred and seventy-three.

Laid on the table.

By Mr. Hazlett:

Resolved, That two hundred and forty copies of the Biennial Report of the Warden of the State Prison, together with the report of Standing Committee of the Senate, be printed in pamphlet form for distribution—fifty copies thereof for the use of the members of the Senate, one hundred copies thereof for the use of the members of the Assembly, and ninety copies thereof for the use of the Secretary of State, for the State Library, and distribution; and that the said reports be copied into the Appendix to the Journal of the Senate.

Adopted.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, March 5th, 1873. }

To the honorable the Senate:

I have the honor herewith to transmit, for the consideration of your honorable body, Assembly Concurrent Resolution No. 22—Relative to Joint Rule No. 15—which passed the Assembly unanimously.

Also, to inform your honorable body that the House has agreed to the report of the committee of conference on Senate Bill No. 68—Relative to appropriations for the civil government for the ninth and tenth fiscal years.

Also, to return to your honorable body Senate Bill No. 181—entitled An Act to authorize the Counties of Lincoln and Nye, in the State of Nevada, to subscribe to the capital stock of the Humboldt and Colorado Railroad Company, and to aid in the construction of a railroad from a point at or near Palisade to the Colorado River—which passed the Assembly: Yeas, 38; nays, 8.

Also, Senate Bill No. 183—An Act to authorize the Board of County Commissioners of Elko County, Nevada, to issue bonds, payable from the Building Fund, and to levy a tax to provide for the payment thereof—which passed the Assembly: Yeas, 41; nays, none.

Also, Senate Bill No. 170—An Act to regulate compensation of County Commissioners—which failed to pass the Assembly by the following vote: Yeas, 14; nays, 24.

Also, Senate Bill No. 99—An Act to appropriate funds for the preparation and publication of the eighth and ninth volumes of the Nevada Reports—which passed the Assembly: Yeas, 36; nay, 1.

Also, Senate Bill No. 207—An Act to legalize certain acts of the Board of County Commissioners of Lincoln County—which failed to pass the Assembly by the following vote: Yeas, 2; nays, 38.

I am also instructed to inform your honorable body that the Assembly have concurred in Senate amendments to Assembly Bills Nos. 83, 92, 105, and 108—entitled, respectively, An Act to encourage the construction of a railroad from Reno to Susanville; An Act concerning vagrants and vagrancy; An Act to grant the right of way to J. E. Rooker, A. A. Curtis, M. A. Sawtelle, their associates and assigns, to build and maintain a railroad from the Central Pacific Railroad to the City of Austin; An Act to amend an Act entitled "An Act for the purpose of placing the finances of Lyon County upon a permanent cash basis, and to provide for the payment of the outstanding indebtedness of the said county."

Also, return to your honorable body Senate Bill No. 114—entitled An Act to amend an Act entitled "An Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada," approved November twenty-sixth, eighteen hundred and sixty-one—which passed the Assembly: Yeas, 32; nays, 12.

Also, transmit, for the consideration of your honorable body, Assembly Bill No. 106—An Act to encourage the growth of forest trees—which passed the Assembly: Yeas, 39; nay, 1.

Also, Assembly Bill No. 122—An Act to provide for the payment of the expenses of enrolling for the sixth session of the Legislature of the State of Nevada—which passed the Assembly: Yeas, 39; nays, none.

Also, Assembly Bill No. 67—An Act to define and establish the boundary line of Lincoln County, Nevada—which passed the Assembly: Yeas, 29; nays, 18.

Also, Assembly Bill No. 115—An Act for the protection of stockholders in mines—which passed the Assembly: Yeas, 34; nays, 3.

Also, Assembly Bill No. 88—An Act to amend section three of an Act to amend an Act entitled An Act supplementary to an Act entitled an Act defining the duties of State Treasurer—which passed the Assembly: Yeas, 34; nays, none.

Also, Assembly Bill No. 89—An Act to prohibit lotteries—which passed the Assembly: Yeas, 38; nays, 2.

Also, Assembly Bill No. 93—An Act to provide for the payment of counsel in certain criminal cases—which passed the Assembly: Yeas, 35; nays, 3.

Also, Assembly Bill No. 26—An Act to protect the shippers of ore and quartz to custom mills for reduction—which passed the Assembly: Yeas, 35; nays, 5.

Also, Assembly Bill No. 101—An Act for securing statistical information of railroad companies operating in this State—which passed the Assembly: Yeas, 32; nays, 5.

Also, Assembly Bill No. 68—An Act to amend an Act entitled "An Act to incorporate the City of Virginia, provide for the government thereof, and repeal all other laws in relation thereto"—which passed the Assembly: Yeas, 40; nays, none.

Also, return Senate Bill No. 167—An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties, and to establish their pay—which was amended and then passed by the Assembly: Yeas, 35; nay, 1.

Also, Senate Bill No. 90—An Act to impose a license tax on persons selling malt liquors brewed without the State of Nevada and sold in the State of Nevada—the same having passed the House this day: Yeas, 31; nays, 12.

I am also instructed by the Assembly to request your honorable body

to return to the Assembly, Assembly Bill No. 90—An Act relating to liquors brewed without this State and sold within this State.

I also transmit, for the consideration of your honorable body, Assembly Bill No. 113—An Act authorizing the School Trustees of School District No. 10, in the Town of Rene, Washoe County, to issue bonds for the purpose of building a school house in said school district—which passed the Assembly: Yeas, 34; nays, none.

I also return to your honorable body Senate Bill No. 102—entitled An Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March ninth, eighteen hundred and sixty-five—which failed to pass the Assembly by the following vote: Yeas, 4; nays, 37.

Also, Senate Bill No. 107—An Act to provide for the destruction of noxious animals within this State—which passed the Assembly: Yeas, 37; nays, 5.

Also, Senate Bill No. 136—An Act to amend an Act entitled "An Act to encourage the construction of a railroad in the eastern portion of the State of Nevada," approved February twenty-first, eighteen hundred and seventy-one—which passed the Assembly: Yeas, 40; nays, 6.

Also, Senate Bill No. 193—An Act to encourage the construction of a railroad from the Central Pacific Railroad to the Town of Eureka, State of Nevada—which passed the Assembly: Yeas, 41; nays, 7.

Also, Senate Bill No. 108—An Act entitled "An Act for the payment of the salaries of District Attorneys of the several counties of this State"—which passed the Assembly: Yeas, 39; nays, 6.

Also, to transmit, for the consideration of your honorable body, Assembly Bill No. 102—entitled An Act providing for the removal of county seats, and the permanent location thereof—which passed the Assembly: Yeas, 43; nays, none.

Also, Assembly Bill No. 120—An Act relative to the boundaries of Washoe, Storey, and Lyon Counties—which passed the Assembly: Yeas, 40; nays, none.

Also, to return to your honorable body Senate Bill No. 255—entitled An Act to provide for the allotment of Senators of the State of Nevada—which passed the Assembly: Yeas, 43; nays, none.

Also, to transmit, for the consideration of your honorable body, Assembly Bill No. 117—An Act to amend an Act entitled "An Act for the government and maintenance of the State Orphans' Home," approved March first, eighteen hundred and seventy-three—which passed the Assembly: Yeas, 40; nay, 1.

Also, Assembly Bill No. 123—entitled An Act to create Contingent Funds for the Assembly—which passed the Assembly: Yeas, 35; nays, 1.

Also, Assembly Bill No. 84—An Act concerning licenses—which passed the Assembly: Yeas, 42; nays, none.

Also, Assembly Bill No. 119—An Act amendatory of and supplemental to an Act entitled "An Act concerning crimes and punishments, approved November twenty-sixth, eighteen hundred and sixty-one," and all Acts amendatory of and supplemental thereto—which passed the Assembly this day: Yeas, 41; nays, none.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

Senate Bill No. 220—"An Act to equalize representation in the Legislature of Nevada"—taken up on motion of Mr. Clapp.

Read third time.

Mr. Cassidy asked leave of absence for Mr. McCoy.

Leave granted.

Mr. Cleveland moved a call of the Senate.

Roll called; all present except Mr. McClinton.

Mr. McClinton appearing at the bar of the Senate, was, on motion, excused and admitted to his seat.

Mr. Hill moved that further proceedings under the call be dispensed with.

Carried.

Roll called on final passage of Senate Bill No. 220, and bill defeated by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Eastman, McClinton, Mills, Moore, McBeth, Thompson, Varian, and Wilson—11.

NAYS—Messrs. Cleveland, Crawford, Davenport, Fox, Hazlett, Hill, Hobart, Phelan, Small, Stevenson, and Walter—11.

Assembly Bill No. 123—An Act to create Contingent Funds for the Assembly—taken up on motion of Mr. Cleveland.

Mr. Cleveland moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee of the Whole.

Carried.

Mr. Cleveland moved that the Senate go into Committee of the Whole for the consideration of Assembly Bill No. 123.

Carried.

In time, the committee rose and presented the following report:

Mr. PRESIDENT: Your Committee of the Whole have had under consideration Assembly Bill No. 123—An Act to create Contingent Funds for the Assembly—which they report back with amendments, and recommend its passage.

Mr. Cassidy moved that the amendments recommended by the Committee of the Whole be adopted.

Carried.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Crawford, Davenport, Eastman, Hazlett, Lockwood, McClinton, Mills, Phelan, Small, Stevenson, Thompson, and Walter—16.

NAYS—None.

Senate Bill No. 261—An Act to define and establish the boundary lines of Eureka County.

Mr. Cassidy moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and ordered engrossed.

Carried.

Senate Bill No. 251—An Act to grant the right of way to build and maintain a narrow gauge railroad through Elko County.

On motion, laid on the table.

Assembly Concurrent Resolution—Relative to Joint Rule No. 15.
Roll called, and resolution adopted, by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Eastman, Fox, Hazlett, Lockwood, McClinton, Mills, Moore, Phelan, Small, Stevenson, Thompson, Varian, and Walter—17.

NAYS—Mr. McBeth—1.

Assembly Bill No. 117—An Act to amend an Act entitled "An Act for the government of the State Orphans' Home," approved March first, eighteen hundred and seventy-three.

Read first time.

Mr. Mills moved that the rules be suspended; the bill read the second time by title; that the rules be further suspended, and placed on its third reading and final passage.

Carried.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Clapp, Cleveland, Crawford, Eastman, Fox, McClinton, Mills, Moore, Phelan, Stevenson, Thompson, Varian, and Walter—13.

NAYS—Messrs. Campbell, Lockwood, McBeth, Small, and Wilson—5.

Substitute for Assembly Bill No. 90—An Act to impose a license tax on persons selling malt liquor brewed without the State of Nevada and sold in the State of Nevada.

Mr. McClinton moved to indefinitely postpone.

Mr. Mills moved to amend by laying the bill on the table.

Carried.

Assembly Bill No. 121—An Act supplementary to "An Act to abolish the use of State stamps, and to provide for the settlement of outstanding stamps," approved February twenty-first, eighteen hundred and seventy-three.

Mr. Moore moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title; the rules further suspended, and placed on its third reading and final passage.

Carried.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, McBeth, Phelan, Stevenson, Thompson, and Walter—19.

NAYS—None.

Mr. PRESIDENT: Your Standing Committee on Engrossment report that they have compared Senate Bill No. 261—entitled An Act to establish and define the boundary lines of Eureka County—with the original copy thereof, and find it correctly engrossed.

THEO. S. DAVENPORT,
ROBT. MCBETH,

Committee.

Assembly Bill No. 109—An Act to grant the right of way and authorize certain persons herein named to construct a railroad from the line of the Central Pacific Railroad to the Colorado River.

Mr. Lockwood moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title, and referred to the Committee on Railroads and Internal Improvements.

Carried.

Assembly Bill No. 102—An Act providing for the removal of county seats, and the permanent location thereof.

On motion, laid on the table.

Senate Bill No. — (introduced by Mr. Lockwood, by leave)—An Act to pay Edward Luban six hundred and eighty-dollars.

Mr. Lockwood moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title; the rules further suspended, and placed on its third reading and final passage.

Carried.

Mr. McBeth moved to take a recess until two o'clock P. M.

Carried.

Senate met at two o'clock P. M.

President in the chair.

Roll called.

Quorum present.

Assembly Bill No. 84—An Act concerning licenses.

Mr. Phelan moved to indefinitely postpone.

Carried.

Assembly Bill No. 113—An Act authorizing the School Trustees of School District No. 10, in the Town of Reno, Washoe County, to issue bonds for the purpose of building a school house in said school district.

Mr. Eastman moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title; the rules further suspended, and placed on its third reading and final passage.

Carried.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hill, Hobart, McClinton, Moore, Stevenson, Thompson, Varian, Walter, and Wilson—16.

NAYS—None.

Assembly Bill No. 119—An Act amendatory of and supplementary to an Act entitled "An Act concerning crimes and punishments," approved November twenty-sixth, eighteen hundred and sixty-one, and all Acts amendatory of and supplementary thereto.

Read first time.

Mr. Varian moved that the rules be suspended; the bill read the second time by title; the rules further suspended, and placed on its third reading and final passage.

Carried.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Clapp, Cleveland, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, Small, Stevenson, Varian, and Walter—18.

NAYS—None.

Assembly Bill No. 122—An Act to provide for the payment of the expenses of enrolling for the sixth session of the Legislature of the State of Nevada.

Read first time.

Mr. Varian moved that the rules be suspended; the bill read the second time by title, and referred to Committee of the Whole.

Carried.

Assembly Bill No. 108—An Act to amend an Act entitled "An Act for the purpose of placing the finances of Lyon County upon a permanent cash basis, and to provide for the payment of the outstanding indebtedness of said county."

Read first time.

Mr. Varian moved that the rules be suspended; the bill read the second time by title; the rules further suspended, and placed on its third reading and final passage.

Carried.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Davenport, Eastman, Hazlett, Hill, McClinton, Mills, Moore, McBeth, Small, Stevenson, Varian, and Walter—14.

NAY—Mr. Fox—1.

Assembly Bill No. 88—An Act to amend section three of An Act to amend an Act entitled An Act supplementary to An Act entitled "An Act defining the duties of State Treasurer, approved February second, eighteen hundred and sixty-six," approved March first, eighteen hundred and sixty-nine.

Mr. Varian moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title; the rules further suspended, and placed on its third reading and final passage.

Carried.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, Mills, Moore, McBeth, Stevenson, Walter, and Wilson—14.

Assembly Bill No. 115—An Act for the protection of stockholders in mines.

Read first time.

Mr. Varian moved that the rules be suspended; the bill read the second time by title; the rules further suspended, and placed on its third reading and final passage.

Carried.

Read third time, and defeated by the following vote:

YEA—Mr. Stevenson—1.

NAYS—Messrs. Campbell, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, Phelan, Varian, Walter, and Wilson—13.

Assembly Bill No. 89—"An Act to prohibit lotteries."

Mr. Varian moved that the reading had be considered the first reading of the bill; that the rules be suspended; the bill read the second time by title; the rules further suspended, and the bill placed on its third reading and final passage.

Carried.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Hill, Hobart, Lockwood, McClinton, Mills, Moore, Phelan, Small, Stevenson, Varian, Walter, and Wilson—18.

NAYS—None.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 32—An Act [to amend an Act entitled "An Act] to redistrict the State of Nevada," approved February twenty-seventh, eighteen hundred and sixty-nine;

Also, Senate Bill No. 136—An Act to amend an Act entitled "An Act to encourage the construction of a railroad in the eastern portion of the State of Nevada," approved February twenty-first, eighteen hundred and seventy-one;

Also, Senate Bill No. 39—An Act concerning juries;

Also, Senate Bill No. 159—An Act amendatory of an Act entitled "An Act to provide for the maintenance and supervision of public schools," approved March twentieth, eighteen hundred and sixty-five, and of Acts amendatory thereof;

Also, Senate Bill No. 107—An Act to provide for the destruction of noxious animals within this State;

Also, Senate Bill No. 193—An Act to encourage the construction of a railroad from the Central Pacific Railroad to the Town of Eureka, State of Nevada;

Also, Senate Bill No. 68—An Act making appropriations for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years;

Also, Senate Bill No. 167—An Act fixing the number of officers and employes of the Senate and Assembly, to define their duties and to establish their pay;

Also, Senate Bill No. 108—An Act entitled An Act for the payment of the salaries of District Attorneys of the several counties of this State;

Also, Senate Bill No. 114—An Act to amend an Act to regulate proceedings in criminal cases in the Courts of justice in the Territory of Nevada, approved November twenty-sixth, eighteen hundred and sixty-one;

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

Assembly Bill No. 93—An Act to provide for the payment of counsel in certain cases.

Read first time.

Mr. Eastman moved to lay on the table.

Carried.

Mr. Lockwood moved that the Senate go into Committee of the Whole for the consideration of bills referred thereto.

Carried.

In time, committee rose and reported action on bills before it.

Assembly Bill No. 28—An Act for the construction of fences and planting of trees at the State Orphans' Home.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Moore, Phelan, Small, Stevenson, Varian, and Walter—18.

NAY—Mr. Wilson—1.

Senate Bill No. 273—"An Act to pay Edward Luban six hundred and eighty dollars."

Mr. Phelan moved that the rules be suspended, and the bill placed on its third reading and final passage.

Carried.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Crawford, Davenport, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, McBeth, Phelan, Small, Stevenson, and Walter—15.

NAYS—Messrs. Eastman, Varian, and Wilson—3.

Assembly Bill No. 122—An Act to provide for the payment of the expense of enrolling for the sixth session of the Legislature of the State of Nevada.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, McClinton, Mills, Phelan, Stevenson, Varian, Walter, and Wilson—15.

NAYS—None.

Assembly Bill No. 76—An Act to amend section six of "An Act defining the duties of State Treasurer," approved February second, eighteen hundred and sixty-six.

Read first time.

Mr. Varian moved that the rules be suspended; the bill read the second time by title; that the rules be further suspended, and the bill placed on its third reading and final passage.

Carried.

Bill read third time, and lost by the following vote:

YEAS—None.

NAYS—Messrs. Campbell, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, Lockwood, McClinton, Phelan, Small, Stevenson, Varian, Walter, and Wilson—15.

Assembly Bill No. 101—An Act for securing statistical information of railroad companies operating in this State.

Read third time, and lost by the following vote:

YEA—Mr. Stevenson—1.

NAYS—Messrs. Campbell, Cassidy, Crawford, Eastman, Fox, Hazlett, Hobart, Lockwood, McClinton, Moore, Phelan, Small, Varian, Walter, and Wilson—15.

Senate Bill No. 192—An Act to encourage the production and manufacture of native iron in this State.

Mr. Lockwood moved to lay on the table.

Carried.

Assembly Bill No. 68—An Act to amend an Act entitled "An Act to incorporate the City of Virginia, provide for the government thereof, and repeal all other laws in relation thereto," approved March fourth, eighteen hundred and sixty-five.

Pending the reading of the bill, Mr. Phelan moved to indefinitely postpone.

Carried.

REPORT (by leave).

Mr. PRESIDENT: Your Standing Committee on Federal Relations, to which was referred Assembly Concurrent Resolution No. 1—Concerning fares and freights on the Central Pacific Railroad—report that they have had the same under consideration, and have directed their Chairman to report the following substitute, with recommendation that the substitute do pass.

McCLINTON, Chairman.

Substitute for Assembly Bill No. 67—An Act to define and establish the boundary line of Lincoln County, Nevada.

Mr. Walter presented petitions from citizens of Nye County protesting against the passage of the bill.

Read first time.

Mr. Varian moved that the rules be suspended; the bill read the second time by title; the rules further suspended, and placed on its third reading and final passage.

The yeas and nays were called for by Messrs. Cleveland, Clapp, and Wilson, and the motion lost by the following vote: Yeas, 10; nays, 11.

Mr. Walter moved to lay the bill on the table.

Lost.

Mr. Crawford moved to reconsider the vote by which the motion to suspend the rules was lost.

Motion lost.

Assembly Bill No. 220—An Act to equalize the representation of the State of Nevada.

On motion of Mr. Eastman, laid on the table.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, March 6th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Bill No. 190—entitled An Act amendatory of and supplemental to an Act entitled "An Act to create a Board of County Commissioners in the several counties of this State, and define their duties and powers, approved March eighth, eighteen hundred and sixty-five," approved January eleventh, eighteen hundred and seventy-one—which passed the Assembly: Yeas, 28; nays, 20.

Also, notify your honorable body that the Assembly has concurred in Senate amendments to Assembly Bill No. 123—An Act to create Contingent Funds for the Assembly and Senate.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

[STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, March 6th, 1873. }

To the honorable the Senate:]

I have the honor herewith to return to your honorable body Senate Bill No. 203—entitled An Act to provide for the removal of the county seat of Esmeralda County—which passed the Assembly: Yeas, 40; nays, none.

Also, Senate Concurrent Resolution No. 263—Relative to mail service between Reno, Nevada, and Indian Valley, California—which passed the Assembly: Yeas, 38; nays, none.

Also, Substitute Senate Bill No. 91—An Act to regulate the salaries of County Auditors—which passed the Assembly: Yeas, 34; nay, 1.

Also, Senate Bill No. 95—An Act to amend an Act entitled "An Act to create the office of State Mineralogist and define the duties of such officer," approved March first, eighteen hundred and sixty-nine—which failed to pass the Assembly: Yeas, 12; nays, 23.

Also, Senate Bill No. 210—An Act to provide for printing the Annual Reports of the State Treasurer and State Controller—which passed the Assembly: Yeas, 38; nay, one.

Also, Senate Bill No. 143—An Act providing for the location and taxation of borax and soda mines and claims—which passed the Assembly: Yeas, 39; nays, 2.

Also, Senate Bill No. 176—An Act to encourage the artificial cultivation and propagation of fish in the State of Nevada—which passed the Assembly: Yeas, 29; nays, 6.

Also, Senate Bill No. 20—An Act to provide for the government of the State Prison of the State of Nevada—which passed the Assembly: Yeas, 28; nays, 18.

Also, Senate Bill No. 194—An Act to purchase the compilation of the laws of Nevada—which passed the Assembly: Yeas, 30; nays, 18.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

Assembly Bill No. 97—An Act to authorize the County Commissioners of Storey County to issue bonds for school purposes in the Virginia and Gold Hill School Districts, and to provide for the payment of the same.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, Mills, Small, Stevenson, Varian, and Walter—16.

NAYS—Messrs. Phelan and Wilson—2.

Senate Bill No. 261—An Act to define and establish the boundary line of Eureka County.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, Lockwood, McBeth, Phelan, Walter, and Wilson—14.

NAYS—Messrs. Hill, Moore, Small, Stevenson, and Varian—5.

Mr. McClinton moved to take a recess until seven o'clock P. M.
Carried.

Senate met at seven o'clock P. M.

Roll called.

Quorum present.

Mr. Clapp requested leave of absence.

Granted

By Mr. Varian:

Resolved, Nothing shall be in order, except the consideration of bills, until ten o'clock P. M.

Adopted.

MR. PRESIDENT: Your Standing Committee on Enrollment report that Senate Concurrent Resolution No. 263—Relative to mail service between Reno, Nevada, and Indian Valley, California—has been carefully compared with the engrossed resolution, found correctly enrolled, and has this day been deposited with the Secretary of State.

A. J. LOCKWOOD, Chairman.

Senate Bill No. 190—An Act amendatory of and supplementary to an Act entitled "An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and their powers," approved March eighth, eighteen hundred and sixty-five—with Assembly amendments.

Amendments concurred in.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Clapp, Cleveland, Crawford, Davenport, Eastman, Fox, Hill, Lockwood, McClinton, Mills, Moore, Phelan, Small, Walter, and Wilson—16.

NAYS—None.

Senate Bill No. 216—An Act to secure Nevada's quota of the funds for the National centennial celebration of the independence of the United States of America.

Read third time.

Mr. Mills moved that the bill be indefinitely postponed.

Lost.

Roll called, and bill lost by the following vote:

YEAS—Messrs. Cassidy, Davenport, Eastman, Fox, Hazlett, Hill, Phelan, Small, and Stevenson—9.

NAYS—Messrs. Campbell, Cleveland, Crawford, Hobart, Lockwood, McClinton, Mills, Moore, Varian, Walter, and Wilson—11.

Senate Bill No. 238—An Act for the relief of A. D. Treadway.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, Mills, Phelan, Small, and Stevenson—15.

NAYS—Messrs. Cassidy, Varian, Walter, and Wilson—4.

Senate Bill No. 211—An Act to tax dogs.

On motion of Mr. Cleveland, laid on the table.

Senate Bill No. 260—An Act to encourage the construction of a railroad from a point in Huntington Valley to the Town of Eureka.

On motion of Mr. Cassidy, laid on the table.

Senate Substitute for Assembly Concurrent Resolution No. 1—Relative to fares and freights on the Central Pacific Railroad.

Mr. Davenport moved that the Assembly resolution be placed on its third reading.

Lost.

Substitute adopted by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, McClinton, Moore, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—18.

NAYS—None.

Assembly Bill No. 109—An Act to grant the right of way, and authorize certain persons herein named to construct a railroad from the line of the Central Pacific Railroad to the Colorado River.

Read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hobart, McClinton, Moore, Phelan, Small, Stevenson, Thompson, Varian, Walter, and Wilson—18.

NAYS—None.

Senate Substitute to Assembly Bill No. 90.

Read second time, and, on motion of Mr. Varian, indefinitely postponed.

Assembly Bill No. 120—An Act relative to the boundaries of Washoe, Lyon, and Storey Counties.

Read third time, and lost by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Davenport, Fox, Hazlett, Hobart, Lockwood, Phelan, Stevenson, and Varian—11.

NAYS—Messrs. Crawford, Eastman, Hill, McClinton, Moore, McBeth, Thompson, Small, Wilson, and Walter—10.

Senate Bill No. 217—An Act for the relief of W. F. Wilson.

On motion, ordered engrossed.

Senate Bill No. 256—An Act to provide for the payment of certain claims against the State.

Mr. Phelan moved that the rules be suspended; the bill considered engrossed, and placed on its third reading and final passage.

Carried.

Read third time, and lost by the following vote:

YEAS—Messrs. Campbell, Cleveland, Crawford, Eastman, Hill, Lockwood, and Phelan—7.

NAYS—Messrs. Cassidy, Davenport, Hobart, McClinton, Moore, Small, Stevenson, Varian, and Wilson—9.

Senate Bill No. 226—An Act to provide for the payment of Peter Cavanaugh.

Mr. Phelan moved that the rules be suspended; the bill considered engrossed, and placed on its third reading and final passage.

Carried.

Read third time, and lost by the following vote:

YEAS—Messrs. Campbell, Cassidy, Crawford, Hill, and McBeth—5.

NAYS—Messrs. Cleveland, Eastman, Fox, Hobart, McClinton, Moore, Stevenson, Varian, and Walter—9.

By Mr. Hazlett, on leave:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to draw fifteen hundred dollars from the Contingent Fund of the Senate; the same to be by him deposited with Wells, Fargo & Co., in Carson City, and disbursed for contingent expenses upon order of the Senate. Should any surplus remain after all orders are paid, the same shall revert to the General Fund of the State.

Adopted.

Senate Bill No. 219—"An Act for the payment of the equitable claim of Daniel G. and William H. Corbett."

Mr. Varian moved that the rules be suspended; the bill considered engrossed, and placed on its third reading and final passage.

Carried.

Bill read third time, and passed by the following vote:

YEAS—Messrs. Campbell, Cassidy, Cleveland, Crawford, Eastman, Hill, Lockwood, Phelan, Small, Stevenson, Varian, Walter, and Wilson—13.

NAYS—Messrs. Hobart, Moore, and Thompson—3.

Senate Bill No. 161—"An Act to authorize the County Commissioners of Lander County to subscribe to the capital stock of the Humboldt and Colorado Railroad Company, and to aid in the construction of a railroad from Palisade to the Colorado River."

On motion of Mr. Cassidy, laid on the table.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 262—An Act for the relief of Mrs. Amanda M. Parker, widow of Ozro H. Parker, deceased;

Also, Senate Bill No. 174—An Act prescribing an additional penalty for the non-payment of taxes in certain cases after suit;

Also, Senate Bill No. 265—An Act supplementary to an Act to create certain Legislative Funds, approved January fifteenth, eighteen hundred and seventy-three;

Also, Senate Bill No. 191—An Act to redistrict the State of Nevada;

Also, Senate Bill No. 190—An Act amendatory of and supplementary to an Act entitled "An Act to amend an Act entitled 'An Act to create a Board of County Commissioners in the several counties of this State, and define their duties and powers,' approved March eighth, eighteen hundred and sixty-five," approved January eleventh, eighteen hundred and seventy-one;

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

Resolved, That the Sergeant-at-Arms is hereby directed to draw his warrant in favor of Joe Josephs for the sum of thirty-seven dollars and fifty cents, on the Contingent Fund of the Senate, for money paid out by him for extra engrossing to the amount of two hundred and fifty folios.

Adopted.

To the Committee on Claims:

I hereby certify to the correctness of above claim.

ISRAEL CRAWFORD,
Chairman Engrossing Committee.

MR. PRESIDENT: Your Committee on Supplies and Expenditures have had under consideration the bill of John G. Fox, for twenty-four dollars and ninety cents, for stationery furnished Secretary's desk; find it correct, and report a resolution covering the same.

C. H. EASTMAN, Chairman.

Resolved, That the Sergeant-at-Arms is hereby authorized and directed to draw his check on the Contingent Fund of the Senate in favor of John G. Fox, for the sum of twenty-four dollars and ninety cents (\$24 90).

Adopted.

By Mr. Phelan:

Resolved, by the Senate, the Assembly concurring, That one thousand copies of the compiled laws of this State be and the same are hereby ordered printed in book form.

Roll called, and resolution lost by the following vote:

YEAS—Messrs. Davenport, Fox, Hill, Hobart, Lockwood, Phelan, Stevenson, Varian, and Wilson—9.

NAYS—Messrs. Campbell, Cassidy, Cleveland, Eastman, Moore, McBeth, Small, Thompson, and Walter—9.

By Mr. Phelan:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate in favor of R. R. Parkinson, for the sum of one hundred and twenty-five dollars, for extra services as Journal Clerk of the Senate.

Adopted.

MESSAGES FROM THE ASSEMBLY.

STATE OF NEVADA, ASSEMBLY CHAMBER,
CARSON CITY, March 6th, 1873. }

To the honorable the Senate:

I have the honor herewith to return to your honorable body Senate Bill No. 214—entitled "An Act authorizing the canceling of old unpaid warrants"—which passed the Assembly: Yeas, 34; nays, 6.

Also, Senate Bill No. 261—An Act to define and establish the boundary lines of Eureka County—which passed the Assembly: Yeas, 39; nays, none.

Also, Senate Bill No. 160—An Act relating to the duties of the Secretary of State—which passed the Assembly: Yeas, 41; nays, none.

Also, Senate Bill No. 191—An Act to redistrict the State of Nevada—which passed the Assembly: Yeas, 31; nays, 11.

Also, Senate Bill No. 231—An Act for the relief of S. H. Marlette—which failed to pass the Assembly: Yeas, 8; nays, 30.

Also, Senate Bill No. 174—An Act prescribing an additional penalty for the non-payment of taxes in certain cases after suit—which passed the Assembly: Yeas, 25; nays, 18.

Also, Senate Bill No. 265—An Act supplementary to an Act entitled "An Act to create certain Legislative Funds," approved January fifteenth, eighteen hundred and seventy-three—which passed the Assembly: Yeas, 39; nay, 1.

Also, Senate Bill No. 171—which was lost: Yeas, 22; nays, 20.

Also, Senate Bill No. 262—An Act for the relief of Mrs. Amanda M. Parker—which passed the Assembly: Yeas, 29; nays, 7.

Also, Senate Bill No. 109—An Act to provide for the erection of a State Prison—which passed the Assembly: Yeas, 32; nays, 8.

Also, Senate Bill No. 208—An Act to locate the State University, and to provide for the control and maintenance of the same—which passed the Assembly: Yeas, 39; nays, 9.

Also, Senate Bill No. 230—entitled An Act to define the duties of the Lieutenant Governor, and to fix his compensation therefor—which passed the Assembly: Yeas, 38; nays, 3.

Also, Senate Bill No. 162—An Act regulating the mortgage of personal property—which passed the Assembly: Yeas, 35; nays, 4.

Also, Senate Bill No. 123—An Act to amend an Act to regulate fees and compensation for official and other services in the State of Nevada—which failed to pass the Assembly: Yeas, 22; nays, 10.

Also, Senate Bill—An Act for the relief of White Pine County—which passed the Assembly: Yeas, 44; nay, 1.

Respectfully,

J. M. WOODWORTH,
Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,
CARSON CITY, March 6th, 1873. }

To the honorable the Senate of Nevada:

I have this day approved and deposited in the office of the Secretary of State, Senate Bill No. 68—"An Act making appropriations for the support of the civil government of the State of Nevada for the ninth and tenth fiscal years."

L. R. BRADLEY.

Resolved, That the thanks of the Senate be tendered to the Hon. Israel Crawford, President pro tem. of the Senate, for the gentlemanly demeanor, the kindness, courtesy, and impartiality, exhibited by him in the discharge of his duties as presiding officer of this body during the past sixty days.

Unanimously adopted.

MR. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 208—An Act to locate the State University, and to provide for the control and maintenance of the same—has been carefully compared with the engrossed bill, found correctly enrolled, and has this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

By Mr. Davenport:

Resolved, That the thanks of this Senate is due to Senator Hazlett for the very able manner in which he has filled the position of Chairman of the Committee on Ways and Means.

Adopted unanimously.

MR. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 261—An Act to define and establish the boundary lines of Eureka County—has been carefully compared with engrossed bill, found correctly enrolled, and has this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

Mr. Phelan moved to take a recess until eleven o'clock p. m.
Carried.

Senate met at eleven o'clock p. m.

President in the chair.

Roll called.

Quorum present.

By Mr. Hazlett:

Resolved, That the President and Secretary of the Senate be authorized to approve the Journal of this day's proceedings of the Senate, on to-morrow.

Adopted.

Mr. McBeth moved a call of the Senate.

Carried.

Roll called; the following Senators present:

Messrs. Campbell, Cassidy, Cleveland, Crawford, Davenport, Eastman, Fox, Hazlett, Hill, Hobart, Lockwood, McClinton, McBeth, Small, Stevenson, Thompson, Varian, and Walter—18.

Absent—Messrs. Mills, Moore, Phelan, and Wilson—4.

Absent, on leave—Messrs. Clapp and McCoy—2.

Messrs. Wilson and Phelan appearing at the bar of the Senate, were, on motion, excused and admitted to their seats.

Mr. McBeth moved that further proceedings under the call be dispensed with.

Carried.

By Mr. McClinton:

Resolved, That the thanks of the Senate are due to Hon. W. W. McCoy for the faithful and efficient manner in which he has discharged his duties as Chairman of the Committee on Judiciary, and that we have learned with sadness of his severe indisposition, which prevents him from participating in the closing scenes of the session.

Adopted.

Mr. Moore moved that a certified copy of the above resolution be presented to Senator McCoy.

Carried.

Mr. PRESIDENT: Your Standing Committee on Enrollment report that Senate Bill No. 210—An Act to provide for the printing of the Annual Reports of the State Treasurer and Controller;

Also, Senate Bill No. 214—An Act authorizing the canceling of old unpaid warrants;

Also, Senate Bill No. 183—An Act to authorize the Board of County Commissioners of Elko County, Nevada, to issue bonds, payable from the Building Fund, and to levy a tax to provide for the payment thereof;

Also, Senate Bill No. 176—An Act to encourage the artificial cultivation and propagation of fish in the State of Nevada;

Have been carefully compared with the engrossed bills, found correctly enrolled, and have this day been handed to the Governor for his approval.

A. J. LOCKWOOD, Chairman.

By Mr. Lockwood:

Resolved, That a committee of three be appointed by the President of the Senate to inquire of the Governor if he has any further communications to make to this body.

Adopted.

The President appointed as such committee, Messrs. Lockwood, Phelan, and McBeth.

By Mr. Varian:

Resolved, by the Senate, the Assembly concurring, That the compiled laws of the State of Nevada be published in book form.

Roll called, and resolution adopted by the following vote:

YEAS: Messrs. Cassidy, Davenport, Fox, Hazlett, Hill, McBeth, Phelan, Stevenson, Varian, Walter, and Wilson—11.

NAYS—Messrs. Campbell, Cleveland, Eastman, McClinton, Moore, and Thompson—6.

By Mr. McClinton:

Resolved, by the Senate, the Assembly concurring, That the Bonni-field and Healy compilation of the laws of this State, when contracted for by the Attorney General, the Clerk of the Supreme Court, and the Secretary of State, shall be published in book form, in a style equal in quality to the edition of the Revised Laws of Ohio of 1860, now in the State Library. The composition of the work shall not exceed one dollar per square, and the binding shall not exceed one dollar and fifty cents per volume.

The hour of twelve o'clock, midnight, having arrived, the President declared the Senate adjourned *sine die*.

Approved:

FRANK DENVER, President.

Attest: CHAS. F. BICKNELL,
Secretary of the Senate.

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